United Nations S/PV.5288

Security Council

Sixtieth year

Provisional

5288th meeting

Friday, 21 October 2005, 11.15 a.m.

New York

President:	Mr. Motoc	(Romania)
Members:	Algeria	Mr. Benmehidi
	Argentina	Mr. Mayoral
	Benin	Mr. Idohou
	Brazil	Mr. Tarrisse da Fontoura
	China	Mr. Cheng Jingye
	Denmark	Mr. Faaborg-Andersen
	France	Mr. Duclos
	Greece	Mrs. Papadopoulou
	Japan	Mr. Kitaoka
	Philippines	Mr. Chuasoto
	Russian Federation	Mr. Dolgov
	United Kingdom of Great Britain and Northern Ireland	Ms. Howe-Jones
	United Republic of Tanzania	Mrs. Taj
	United States of America	Mr. Brencick

Agenda

The situation in Côte d'Ivoire

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A.

05-56387 (E)

The meeting was called to order at 11.15 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in Côte d'Ivoire

The President: I should like to inform the Council that I have received a letter from the representative of Côte d'Ivoire, in which he requests to be invited to participate in the consideration of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the consideration, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Djangoné-Bi (Côte d'Ivoire) took a seat at the Council table.

The President: The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them document S/2005/661, which contains the text of a draft resolution prepared in the course of the Council's prior consultations. I should also like to call the attention of members to document S/2005/639, which contains the text of a letter dated 6 October 2005 from the Permanent Representative of Nigeria addressed to the President of the Security Council, transmitting the communiqué of the 40th meeting of the Peace and Security Council of the African Union.

It is my understanding that the Council is ready to proceed to the vote on the draft resolution before it. Unless I hear any objection, I shall put the draft resolution to the vote now.

There being no objection, it is so decided.

A vote was taken by show of hands.

In favour:

Algeria, Argentina, Benin, Brazil, China, Denmark, France, Greece, Japan, Philippines, Romania, Russian Federation, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America

The President: There were 15 votes in favour. The draft resolution has been adopted unanimously as resolution 1633 (2005).

The Security Council has thus concluded the present stage of its consideration of the item on its agenda. The Council will remain seized of the matter.

The meeting rose at 11.20 a.m.

United Nations S/PV.5289

Security Council

Sixtieth year

Provisional

5289th meeting

Monday, 24 October 2005, 10 a.m.

New York

President:	Mr. Motoc	(Romania)
Members:	Algeria	Mr. Baali
	Argentina	Mr. Mayoral
	Benin	Mr. Idohou
	Brazil	Mr. Sardenberg
	China	Mr. Wang Guangya
	Denmark	Mrs. Løj
	France	Mr. De La Sablière
	Greece	Mr. Vassilakis
	Japan	Mr. Oshima
	Philippines	Mr. Baja
	Russian Federation	Mr. Denisov
	United Kingdom of Great Britain and Northern Ireland	Sir Emyr Jones Parry
	United Republic of Tanzania	Mr. Mahiga
	United States of America	Mr. Bolton

Agenda

Security Council resolution 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)

Letter dated 7 October 2005 from the Secretary-General addressed to the President of the Security Council (S/2005/635)

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A.

05-56546 (E)

The meeting was called to order at 10.20 a.m.

Adoption of the agenda

The agenda was adopted.

Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)

Letter dated 7 October 2005 from the Secretary-General addressed to the President of the Security Council (S/2005/635)

The President: I should like to inform the Council that I have received a letter from the representative of Serbia and Montenegro, in which he requests to be invited to participate in the consideration of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the discussion, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

On behalf of the Council, I extend a warm welcome to the Prime Minister of the Republic of Serbia, His Excellency Mr. Vojislav Koštunica.

At the invitation of the President, Mr. Koštunica (Serbia and Montenegro) took a seat at the Council table.

The President: In accordance with the understanding reached in the Council's prior consultations, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Kai Eide, Special Envoy of the Secretary-General for the comprehensive review of the situation in Kosovo.

It is so decided.

I invite Mr. Eide to take a seat at the Council table.

In accordance with the understanding reached in the Council's prior consultations, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Søren Jessen-Petersen, Special Representative of the Secretary-General and Head of the United Nations Interim Administration Mission in Kosovo.

It is so decided.

I invite Mr. Jessen-Petersen to take a seat at the Council table.

The Security Council will now begin its consideration of the item on its agenda. The Security Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them document S/2005/635, which contains a letter dated 7 October 2005 from the Secretary-General transmitting a comprehensive review of the situation in Kosovo (Serbia and Montenegro).

The President: I welcome the presence at this meeting of the Secretary-General, His Excellency Mr. Kofi Annan.

I now give the floor to the Special Envoy of the Secretary-General, Mr. Kai Eide.

Mr. Eide: I am deeply grateful to the Secretary-General for having asked me to undertake a comprehensive review of the situation in Kosovo. I am grateful to you, Mr. President, for allowing me to present the main findings and conclusions to the Security Council. I am pleased to see Prime Minister Koštunica here today; our many discussions in Belgrade provided very important inputs for my work. I would also like to express my admiration for the dynamic leadership of the Special Representative of the Secretary-General, Mr. Søren Jessen-Petersen, over the past year.

The purpose of the review was to assess whether the conditions are now in place for conducting the process to determine Kosovo's future status.

In a report to the Secretary-General last year (S/2004/932, annex I, enclosure), I emphasized that there would never be a good moment for addressing Kosovo's future status. That impression was confirmed during my recent work.

First, determining Kosovo's future status is, and will remain, a highly sensitive political issue with serious regional and wider international implications. Secondly, the basic positions of the parties remain diametrically opposed with no — or at least very little — common ground. Thirdly, the prospects for a genuine reconciliation process on the ground are, and will probably remain, modest under the current circumstances.

A significant part of the work on the comprehensive review was devoted to reviewing developments on the ground, including the implementation of standards. The picture is, indeed, mixed.

The establishment of institutions and of a broad legal framework and the development of public services have been impressive. Over the past year, significant transfer of competences has taken place, and more is planned for the near future. The local leaders are gradually taking ownership of the new institutions and becoming more efficient. A civil service is taking shape and becoming more professional. I commend Kosovo's leaders and the civil service for those achievements. There are, of course, shortcomings in many respects, due to lack of expertise, lack of resources and lack of accountability. The international community should remain ready to provide long-term assistance for institutional development, including capacity-building.

The institutional framework also includes law-enforcement bodies: the Kosovo Police Service and a justice system. Both are operational throughout Kosovo. However, there is a lack of ability and readiness to enforce legislation. While the Kosovo Police Service is developing in a promising way, the justice system remains weak. Both find it difficult to address serious crimes, including crimes of an inter-ethnic nature, organized crime and corruption, which remain serious threats to Kosovo's stability. Under such circumstances, the number of international judges and prosecutors should be maintained, a strong and well-qualified international police presence should be ensured and great caution should be exercised in the transfer of competences in such sensitive areas as police and justice. We must ensure that all components of the law-enforcement system are strengthened, so that every person can have confidence in them.

The situation with regard to inter-ethnic relations is grim. It is true that the overall security situation seems more stable than it was a year ago. However, the situation on the ground remains worrying. Frequent unreported incidents of inter-ethnic violence and crime affect security and freedom of movement. When perpetrators remain at large, an atmosphere of impunity prevails.

Furthermore, tens of thousands of property cases remain unresolved. With no access to illegally occupied land and properties, sustainable returns are hard to achieve. The backlog of such unresolved property cases must be urgently addressed.

The overall return process has virtually come to a halt. It is a widely held view that as many or more Kosovo Serbs are now leaving than returning and that that process may be accelerating. We have to reverse that trend. The return policies should be revised in order to allow for support for those who wish to return to places where they can live and not only to places where they have lived. It must also place greater emphasis on support for returnees over longer periods of time and for those who have remained, in order to attract those who wish to return.

While our focus is almost always concentrated on the relationship between Kosovo Albanians and Kosovo Serbs, we must not forget that other minorities also face serious hardship. I would like to single out the continued existence of internally displaced persons camps — such as those in Plementina and Zitkovac — as distressing. To reverse that trend in inter-ethnic relations, great emphasis should be placed on protecting the identities of all communities and on their ability to influence their own future. In that respect, allow me to highlight two areas where action is required.

First, there is a need to create a protective space around Serbian Orthodox religious sites and institutions, with the involvement of the international community, in order to make them less vulnerable to political manipulation. Secondly, wider decentralization will be a critical element in any effort to ensure a viable, multi-ethnic Kosovo, where all communities can influence their own lives in a meaningful way. Devolution of powers and enhanced competences to municipalities where minorities, in particular Kosovo Serbs, have a comfortable majority would establish effective institutional guarantees for minorities and increase confidence in Kosovo's central institutions.

As I said at the outset, there is probably no good moment for addressing Kosovo's future status. Nevertheless — and in spite of the shortcomings I have mentioned — I sincerely believe that the time has come to start the future status process.

Since last year, a political process driven by a more dynamic international engagement has been underway in Kosovo. That process cannot be

interrupted or halted. Having moved from stagnation to expectation, stagnation cannot again be allowed to take hold.

It is also unlikely that postponing the future status process will lead to significant progress in the implementation of standards. Progress will be achieved only if the sense of a political perspective is maintained and if the international community is ready to mobilize greater political energy and pressure.

In addition, there is also a shared expectation in Pristina and in Belgrade, as well as in the region, that the future status process will now start. During the work on the comprehensive review, there has been a gradual shift in the preparedness for a future status process.

I am convinced that all will benefit from clarity with regard to what Kosovo will be. People will be able to make important decisions about their own future on an informed basis. I repeat, all need clarity. Such clarity will also remove an element of instability, which today hampers the political and economic development of Kosovo, as well as of the region.

The goals of the standards process are ambitious; they cannot be met over a short period of time. The standards process will require constant and determined efforts, stretching into and beyond the process of defining Kosovo's future status.

With a future status process underway, there is a risk that attention and energy would be focused on status to the detriment of standards. On the other hand, opening the future status process means that the international community will have enhanced leverage for further standards implementation. I would urge the international community to make full use of that leverage. Success in negotiating and implementing a future status will depend on further standards implementation. Insufficient standards implementation entails the risk of turning a future status into a failed status.

I would like to offer a few thoughts on the status process as such. In Kosovo that process will be very different from peace processes in other parts of the former Yugoslavia. In contrast to those processes, there is little to build on in Kosovo in terms of previous plans and preparations. Furthermore, the negotiations concern a territory that is still a part of a sovereign State but is administered by the United Nations through provisional self-governing institutions.

Every effort should be made to bring all the parties together and to keep them together throughout the status process. The process should not be rushed forward. However, once it has started, it must also be brought to a conclusion within a reasonable timeframe. The search for clarity should not lead us into a protracted period of confusion. Neighbouring States will need to understand the process, support it and, not least, be reassured by the way it is conducted.

The international community will require strength to carry the future status process forward and to implement its results. A reconfiguration of the international presence in Kosovo will be required, but it should take place in a coordinated manner in order to ensure that gaps do not emerge and that current and future requirements are met. During and after the future status process, the credibility of the international community will be of critical importance.

Kosovo will continue to depend on a significant international presence on the ground — military and civilian. The support required in so many areas cannot be provided by remote control. Entering a future status process does not mean entering the last stage, but the next stage of the international presence.

The President: I thank Mr. Eide for his briefing. I shall now give the floor to the Special Representative of the Secretary-General, Mr. Søren Jessen-Petersen.

Mr. Jessen-Petersen: For the past 12 months, this Council has been noting positive developments in Kosovo, including improvements in security and in the fields of standards implementation. But the Council has also underlined the need for further progress. A fortnight ago, upon Ambassador Eide's report, the Secretary-General recommended to the Council that the process of settling Kosovo's future status should begin very soon. I also want to thank Ambassador Eide for a very honest, objective and balanced report.

The start of the status process will be a galvanizing moment in Kosovo. And though its ultimate outcome cannot be known, I am confident that the resolution of Kosovo's status can have only a positive effect on the wider region, including on Serbia, in terms of political stabilization, reconciliation and economic growth. While the way ahead will no doubt be difficult, it must nonetheless be clear to all of

us that continuing with the status quo is not a viable option.

I know that the Prime Minister of Kosovo has transmitted to you this morning a letter for circulation in the Council. In the letter, the Government commits itself to moving forward, addressing with determination those obstacles still in the way of Kosovo's journey towards fulfilling its aspirations and towards a future in Europe.

Prime Minister Koštunica notes in his letter that forward movement is needed outside the status process as much as it is within it. In other words, political life in Kosovo cannot be consumed entirely by status talks, vital as they would be. There is a huge amount of work to be done even as talks proceed, and, as Ambassador Eide just noted, with a lot of leverage in the hands of the international community.

With that in mind, the United Nations Interim Administration Mission in Kosovo (UNMIK) has identified six priority areas on which we intend to concentrate over the coming months. In establishing those priorities, we have, of course, been guided by Ambassador Eide's report. You will note a strong commitment by the Prime Minister in his letter to continue working hard to deliver results in the pursuit of those priorities.

The first priority is to continue apace with the implementation of standards. The Provisional Institutions of Self-Government and UNMIK have reviewed the Kosovo standards implementation plan with a view to reinforcing progress on those actions that would do the most to improve the living conditions of minorities in Kosovo and to promote a multi-ethnic future.

Freedom of movement and returns are two key areas. On returns, we must continue working hard to reassure Kosovo Serbs who live in Kosovo and improve their living conditions while at the same time promoting the conditions for sustainable returns of those still displaced. I do not expect major returns before status is clarified, but to reassure Kosovo Serbs of their future in Kosovo, and to promote returns, we need the constructive engagement of Belgrade and the direct involvement of the Kosovo Serbs.

As the standards implementation plan is reinforced, we are working with the Provisional Institutions and the European Union (EU) to integrate the standards plan and Kosovo's European Partnership Action Plan, so that progress and standards may be linked to incentives whose energy would work on moving Kosovo towards the European future it shares with all the States in the western Balkans.

One of the key standards relates to the economy. Privatization, modernization of the management of publicly owned enterprises and development of a market-oriented legal regime, all lay the groundwork for the eventual growth of Kosovo's economy and prospects for a better future for all its people.

As we speak, the International Monetary Fund is in Pristina, working with the Provisional Institutions and UNMIK to reinforce Kosovo's fiscal management programmes and create the basis for a major donor support conference in December that can ease the tight budget constraints and allow for more development, in turn spurring growth. However, without clarity on status, progress will be limited, as foreign direct investments and access to loans will remain hugely problematic.

In this context, I would like to add that economic opportunities for all can act as a key source of reconciliation, whereas continued stagnation and lack of economic prospects will continue to be a key source of instability.

The second priority is to support the Provisional Institutions in pursuing a comprehensive reform of local government. In order to ensure that Belgrade is able to inject its thoughts into the debate on comprehensive reform, I informed President Tadic and Prime Minister Koštunica during my recent visit to Belgrade that the Provisional Institutions are ready to build on the recent meeting in Vienna, brokered by Ambassador Eide, between the Serbian Minister responsible for local government and his Kosovo counterpart. Such direct dialogue might initially focus on competences of local self-government, an issue of crucial importance in assuring the minorities that their future should be anchored in meaningful local government and authority within a centrally managed Kosovo process. Comprehensive reform to benefit all communities in Kosovo is now on the agenda, and, following the successful implementation of three out of the five pilot projects, I believe it is achievable in parallel with status talks.

As regards the third priority, we will continue to pursue a comprehensive security agenda, including the

transfer of competences from UNMIK to two new Provisional Ministries — Public Order and Justice — by the end of the year. The rule of law, with effective delivery of justice, and the continued combat against organized crime are key requirements for any viable society. We still have a way to go, but I believe that transfers in the areas of justice and police are crucial in order to prepare for status.

As we do this, we are very conscious of the sensitivity of these sectors, as Ambassador Eide also pointed out. We have made it clear that transfers in these areas would be gradual, phased and dependent on transparency and non-politicization at each stage. We will also be looking beyond the immediate requirements of these two Ministries to the wider field of security by pushing forward a comprehensive internal security sector review. This process, which includes all communities in Kosovo, is intended to help formulate a sense of the challenge that faces Kosovo in the field of security and, thereby, to assist in the design of its future internal security architecture, to be implemented when status has been resolved.

Fourthly, the Provisional Institutions, UNMIK and donors must and will strengthen our efforts in the field of capacity-building in order to ensure that, regardless of the outcome of status talks, Kosovo's institutions will be fully capable of taking on the responsibilities that will flow to them. A lot of progress has been made over the last 12 months with the ongoing transfer of competences from UNMIK to central and local Provisional authorities. The Provisional Institutions have committed themselves to establishing an action plan in the very near future, which will contain an overview of capacity needs and how to address them, targeted towards managing post-status Kosovo. That will allow for coordinated and strategic planning on the part of the Government, including all its line ministries, and also on the part of donors who can support the identified needs.

Fifthly, we will continue to restructure UNMIK throughout the coming period with a view to having an optimal set-up throughout the status process. At the same time, we are cooperating with our international partners, such as the European Union, the Organization for Security and Cooperation in Europe and NATO, to develop a phased and well-managed transition to eventual future arrangements, following, but without prejudice to, the outcome of status talks. We have begun a process of informal dialogue with key partners to identify those areas where there may be need for continued international presence and support to the authorities and citizens of Kosovo.

Finally, for close cooperation among the Kosovo Force (KFOR), UNMIK and the Kosovo Police Service and, increasingly, with the central and local authorities in Kosovo, we will continue our efforts to ensure the maintenance of a safe and secure environment for everyone in Kosovo. The security environment in Kosovo is stable at the moment, but isolated recent incidents remind us that, with the difficult status process about to begin, there is no cause for complacency. That process, and possible provocations from all sides, will undoubtedly test our ability to maintain the security environment that has, by and large, prevailed in Kosovo during the last 18 months.

The Commander of KFOR — to whom and to whose troops I want to pay tribute — and I are confident that we are well equipped to respond to any threat that may aim at stopping Kosovo's way forward. Indeed, the forthcoming status process presents risks and confronts political leaders with difficult choices, but it represents a huge opportunity for Kosovo. It is an opportunity for the Kosovo Albanian leadership to show true commitment and action and take more decisive steps to build the kind of multi-ethnic, democratic and tolerant society that will undoubtedly bring them closer to realizing their dreams and goals when status is decided.

I believe the status process also presents a chance for Belgrade and, importantly, for Kosovo Serbs to engage. The coming months will provide a singular opportunity for them to define their role and position in Kosovo's future. It is vital that they be able to seize this chance and ensure that their voice is heard in both the status talks themselves and in the institutions for Kosovo while those talks proceed. I hope that Belgrade will see this opportunity to make it possible for the Kosovo Serb community to take their seats in the Assembly and in Kosovo's Provisional Institutions at all levels, so that they can play an active part in designing Kosovo's future.

Let me emphasize a point that should not go unstated and that was also mentioned by Ambassador Eide. The status process is one in which the voices of civil society and all the people of Kosovo must be heard and respected. Kosovo's Turks, Bosniacs, Gorani, Roma, Croats, Ashkali and Egyptians have as

much claim to our consideration and to the future of Kosovo as its Serbs and Albanians. Kosovo's diversity is, in fact, its treasure.

We all know that the positions of Belgrade and Pristina on the issue of Kosovo status are far apart. But it will remain so until and unless it is resolved by an international managed process. The sooner it is done, the better it will be for the citizens of Kosovo and the region. After more than six years of United Nations involvement and investment in Kosovo, we now have the chance and the challenge to support the citizens as they leave the painful past behind and build a peaceful and prosperous future.

The Security Council has of course played a key role in getting us this far. And I know that I can count on the continued support and active engagement of members of this Council now and in the next and decisive phase of the implementation of Security Council resolution 1244 (1999).

The President: I shall now give the floor to the Prime Minister of the Republic of Serbia, His Excellency Mr. Vojislav Koštunica.

Mr. Koštunica (Serbia and Montenegro): I should like to begin by expressing great respect for this body of the world Organization. I am addressing members today in their capacity as representatives of United Nations Security Council member States in the firm belief that the Council constitutes the most credible and reliable guarantor of the foundations not only of the United Nations, but of the entire world order. Members know better than anyone else that the inviolability of the sovereignty and territorial integrity of States is one of these fundamental principles.

My country, Serbia and Montenegro, is a loyal and active Member of the United Nations. Both in word and action, it has repeatedly proven its commitment to the principles that govern world peace and stability today. In the same spirit of trust, we expect that the Security Council will exercise its authority and, in the case of Serbia and Montenegro and its province Kosovo and Metojiha, safeguard the sovereignty and territorial integrity of my country.

I believe that we all share the conviction that to dismember a democratic State and to change its internationally recognized borders against its will are options not to be contemplated. This would not only be an unprecedented case in international law and in the practice of the United Nations, but also a dangerous precedent with grave long-term consequences for the international order in general. I would like the Council to consider that the responsibility facing it today is not related solely to the fate of a single Balkan State. What is at stake here is a set of core principles that the United Nations accepts and has to accept in its mission of safeguarding world peace.

It is very important for me to emphasize to the Security Council that Serbia and Montenegro is fully prepared to assume its share of responsibility in the process of resolving the Kosovo and Metojiha issue in accordance with the basic principles of international law and the democratic values of the contemporary world. Within this general framework, we are committed to a compromise solution and willing to ensure substantial autonomy for Kosovo and Metojiha as a part of the State Union of Serbia and Montenegro. The future of my country, of the region and, to a certain extent, that of Europe itself will depend on a just and viable solution to the Kosovo issue.

We thus come before this forum with respect and trust, expecting it to make a vital contribution in the spirit of its previous documents, in particular that of Security Council resolution 1244 (1999) of 10 June 1999. That resolution clearly reaffirms the sovereignty and territorial integrity of Serbia and Montenegro, and we are confident that forthcoming decisions of the Council will not depart from this fundamental principle of the United Nations.

The Security Council today faces a daunting task. It has to decide whether to move to the next stage in resolving the Kosovo and Metojiha issue, even though the precisely defined tasks of the previous stage remain uncompleted. At earlier Council meetings on Kosovo and Metojiha, we offered several fully documented assessments of the difficult situation in the province, with particular emphasis on the hopeless position of Serbs and other non-Albanians. We have repeatedly provided convincing information, not only on the absence of multi-ethnicity in Kosovo and Metojiha, but also on grave violations of fundamental rights and freedoms, from the right to life itself to freedom from fear.

Ambassador Kai Eide's report before the Security Council today (S/2005/635) has two main aims: to provide a comprehensive assessment of the situation in Kosovo and, on the basis of that assessment, to

determine whether talks on the future status of the province should be initiated. In particular, Ambassador Eide's task was to evaluate progress in the implementation of standards that constitute the foundation of a democratic, multi-ethnic and economically viable society.

In his comprehensive review, Ambassador Eide presents many essential and important facts, particularly with regard to the difficult position of the Serbian and other non-Albanian communities in Kosovo and Metohija. I shall just quote a few. "[L]ittle has been achieved to create a foundation for a multi-ethnic society", so that the situation in this respect is, as Ambassador Eide rightly says, "grim". "[t]he minority communities — and especially the Kosovo Serbs — suffer from more than a perceived insecurity". In any case, according to Ambassador Eide, "It is difficult to expect that people from minority communities should take risks in order to verify whether freedom of movement and security are" or are not realities.

"At present, property rights are neither respected nor ensured", Mr. Eide says. Examples include many cases of illegal seizures of Serbian State property through the privatization process that are not specifically mentioned in his report. "Illegal construction and occupation of homes ... are widespread phenomena". Where minority communities are concerned, the Eide report states, "Harassment, looting, stealing of cattle and other similar incidents occur very frequently. This is in addition to widespread illegal occupancy of property, especially agricultural land, which makes it impossible to gain access such property and to use it or cultivate it without a security risk".

The following sentences in paragraph 50 of the Eide report are particularly significant:

> "Lack of security and respect for property rights as well as uncertainty about the future contribute heavily to the fact that the overall return process has virtually come to a halt. There is a strong feeling that those who commit crimes enjoy impunity and that the possibility for establishing viable livelihoods is very limited. The great majority of the people who left Kosovo after June 1999 have not come back."

These statements gain particular importance in the light of precise data not offered in Mr. Eide's report. Today, may I remind you that more than 60 per cent of Kosovo Serbs are internally displaced persons in central Serbia. Apart from Northern Mitrovica, there are no more Serbs in Pristina, Prizren, Pec, Gnjilane, Urosevac, and other towns in the province. The Serbs in Kosovo and Metohija are now reduced to a dwindling rural population, living in fear and often deprived of their most basic rights.

The best illustration of the precarious legal position of the Serb community in Kosovo and Metohija is the fact that 17,000 court cases involving individual property claims by local Serbs have been positively resolved, but none of these decisions have been implemented.

Since June 1999, Orthodox Christianity has been exposed to deliberate and brutal persecution. Some 150 Orthodox churches and monasteries have been destroyed or irreparably damaged. Orthodox cemeteries throughout the province have been desecrated and in many cases destroyed. Orthodox Christians have been denied the basic right to profess and practice their faith.

The Eide report attributes those massive violations of human and minority rights not only to ethnically motivated violence against minorities, but also to the fragility and malfunctioning of institutions, particularly the police and the judiciary. That holds true both for the Provisional Institutions at the central level — where, as the report emphasizes, Kosovo Serbs fear they will become a decoration, with little real ability to yield tangible results — and for the institutions of local self-government, which have yet to properly define, let alone implement, plans for the protection of the Serb and other non-Albanian communities.

In spite of all those facts, Ambassador Eide recommends that we should move on to the next stage of the process, the future status talks. He also adds that there will not be any good moment for addressing Kosovo's future status, and insists that the implementation of standards should continue throughout the future status talks. Nevertheless, the critical question for all of us remains: whether future status talks can succeed if the crucial standards for human rights and fundamental freedoms in Kosovo and Metohija are neither fulfilled nor anywhere near fulfilment in the foreseeable future. Today I believe we have to answer that question as follows. It is only

through a serious, completely realistic assessment of the situation in Kosovo and Metohija — to which Ambassador Eide's report makes a significant contribution — that we can attain what I want to see as the common aim of all those involved in the Kosovo issue: a democratic and multiethnic Kosovo and Metohija, where respect for rights will replace fear and violence.

I wish to underline here that in the forthcoming talks Serbia and Montenegro will be fully guided by the general principles and norms of international law and universally accepted democratic values. Let me also express, on behalf of my country, the firm belief that the Security Council will act upon the principle of the sovereignty and territorial integrity of democratic States, and so define the framework and mandate of future status talks as talks on the future status of Kosovo and Metohija as a province within the internationally recognized State of Serbia and Montenegro. I want to point out that all the principles for resolving the Kosovo and Metohija issue, which I am relying on here, are precisely the principles of the United Nations, which the Security Council is responsible for implementing. Let me just mention them.

Our first principle, I repeat, is that any solution must respect the sovereignty and territorial integrity of Serbia and Montenegro as an internationally recognized State, a member of the United Nations and other international organizations. That principle is supported by the basic sources of international law, including, inter alia, the United Nations Charter and the Helsinki Final Act, and — in the particular case at hand — is confirmed by resolution 1244 (1999), where the sovereignty and territorial integrity of Serbia and Montenegro are recognized *expressis verbis*. Apart from the basic sources of international law, the borders and territorial integrity of the States created after the break-up of the former Yugoslavia are additionally guaranteed by specific international documents and agreements such as the opinions of the Arbitration Commission of the Conference on Yugoslavia — in particular, Opinion No. 3 of 11 January 1992 — and the General Framework Agreement for Peace in Bosnia and Herzegovina of 21 November 1995, also called the Dayton-Paris Agreement.

In addition to being supported by the basic sources and rules of international law, these principles are confirmed by all Security Council resolutions covering the Kosovo crisis prior to resolution 1244 (1999) — namely, resolutions 1160 (1998), 1199 (1998), 1203 (1998) and 1239 (1999). They all recognize, *expressis verbis*, the sovereignty and territorial integrity of Serbia and Montenegro. Let me also say that I view the Security Council, legally bound by the United Nations Charter, as the right place to state unambiguously that in this instance we are not discussing the non-binding obligations of States, but, rather, the most stringent norms of international law — the *jus cogens* norms — respect for which is a sine qua non for the international community as a whole to function.

Secondly, the future status talks should take into account the fact that Serbia and Montenegro is a democratic State. We find it inconceivable, as I am sure Council members do, that solutions should be imposed on any democracy against its will, least of all, solutions that threaten its internationally recognized borders. Any attempt to impose such a solution through the de facto legalization of a partition of Serbia — that is, through the forcible secession of a part of its territory — would be tantamount to legal violence not only against a democratic State, but against international law itself.

Thirdly, our political efforts will be directed to defining a specific and viable form of substantial autonomy for Kosovo and Metohija, whereby the legitimate interests of Kosovo Albanians will be fully acknowledged. Allow me to remind the Council that substantial autonomy for the province was proposed as a political solution for the Kosovo crisis by resolution 1160 (1998), reaffirmed by the Foreign Ministers of the Group of Eight on 6 May 1999, and the June 1999 agreement that brought an end to the hostilities in Kosovo.

Finally, I believe that Council members will agree with me when I say that a peaceful, negotiated solution on the future status of Kosovo and Metohija within the State union of Serbia and Montenegro will be a decisive step towards European integration not only for my country, but for the region as a whole. A negotiated solution implies a compromise that will make it impossible for Serbs and Albanians alike to attain all their goals and aspirations. On the other hand, it is only compromise that can further our integration into the European economic, social and cultural space and, ultimately, the European Union itself.

Those truly fundamental commitments constitute the framework within which our country, with good intentions and faith in the future, is approaching the process of defining the future status of Kosovo and Metohija.

The future status process will have the best likelihood of success if, in its crucial and most sensitive part, it takes the form of direct talks between representatives of the two sides. I am certain that we can all agree that the future status talks should aim at a negotiated solution to be reached by the parties in conformity with the essential principles and norms of international law. If that is genuinely our goal, our talks must be direct. If that cannot be achieved immediately, at the very beginning, it is clear that the Secretary-General's Special Envoy will have to do his best to make it possible. It is our firm belief that the only way to attain a negotiated solution is through direct talks mediated by the Special Envoy and his associates.

I would like to say that the general situation in Serbia and Montenegro, as well as in Kosovo and Metohija, differs greatly from that of June 1999. A democratic government has been established in Serbia, and Serbia and Montenegro has resolved its status within the United Nations and irrevocably joined the European integration process. That has added a democratic dimension to the internationally recognized sovereignty and territorial integrity of Serbia and Montenegro, which were already clearly reaffirmed in June 1999. Genuine respect for human and minority rights, good-neighbourly relations and peace in the region and in the world have become the principal guidelines of my country's domestic and foreign policy. Serbia and Montenegro is increasingly affirming itself as a bulwark of basic democratic values both within its territory and in the region.

I should like to conclude by stating that my country is committed to making every effort to reach a negotiated solution on the basis of compromise, together with the Security Council and in a manner compatible with the norms of international law. I hope that the other party to the dispute will be ready to assume its share of responsibility. I am convinced that the international community, embodied in the United Nations, will not succumb to threats of violence and permit the dismemberment of a democratic State and the undermining of the most basic principles of the international order. I am convinced — and no one can understand this better than the members of the Council — that no democratic and free State could accept that under any circumstances. For that is exactly what we are discussing today.

Knowing that we share the common principles underlying both the international legal order and the United Nations itself, I express full confidence in the Security Council and in its just treatment of the Kosovo and Metohija issue. Today, I expect from the Council nothing less than elementary justice and nothing more than agreement that my country is entitled to the protection of the same universal principles that apply to each one of the countries members of the Council, as well as to all other States that belong to the world family of democratic nations.

Finally, in the belief that the Security Council will consider in full earnest the arguments I have presented, I would like to thank you, Mr. President, for the opportunity to address this very important meeting.

The President: The Security Council has thus concluded the present stage of its consideration of the item on its agenda. In accordance with the understanding reached in the Council's prior consultations, I shall now invite Council members to informal consultations to continue our discussion on the subject.

The meeting rose at 11.15 a.m.

United Nations S/PV.5290

Security Council

Sixtieth year

Provisional

5290th meeting

Monday, 24 October 2005, 1.15 p.m.

New York

President:	Mr. Motoc	(Romania)
Members:	Algeria	Mr. El Hadj Ali
	Argentina	Mr. García Moritán
	Benin	Mr. Zinsou
	Brazil	Mr. Tarrisse da Fontoura
	China	Mr. Cheng Jingye
	Denmark	Mr. Faaborg-Andersen
	France	Mr. De Rivière
	Greece	Mrs. Papadopoulou
	Japan	Mr. Haneda
	Philippines	Mr. Mercado
	Russian Federation	Mr. Konuzin
	United Kingdom of Great Britain and Northern Ireland	Sir Emyr Jones Parry
	United Republic of Tanzania	Mrs. Taj
	United States of America	Mr. Brencick

Agenda

Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)

Letter dated 7 October 2005 from the Secretary-General addressed to the President of the Security Council (S/2005/635)

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A.

05-56643 (E)

The meeting was called to order at 1.15 p.m.

Adoption of the agenda

The agenda was adopted.

Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)

Letter dated 7 October 2005 from the Secretary-General addressed to the President of the Security Council (S/2005/635)

The President: The Security Council will now continue its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

Pursuant to the decisions taken at the 5289th meeting, held earlier today, I recognize the presence at the table of the representative of Serbia and Montenegro pursuant to rule 37 of the Council's provisional rules of procedure, as well as that of Mr. Søren Jessen-Petersen, Special Representative of the Secretary-General and Head of the United Nations Interim Administration Mission in Kosovo, and Mr. Kai Eide, Special Envoy of the Secretary-General for the comprehensive review of the situation in Kosovo, pursuant to rule 39.

Following consultations among members of the Security Council, I have been authorized to make the following statement on behalf of the Council:

"The Security Council welcomes the report prepared by the United Nations Secretary-General's standards review Envoy, Ambassador Kai Eide, on the comprehensive review of the implementation of Standards, as well as of the overall situation in and relating to Kosovo (Serbia and Montenegro), forwarded by the Secretary-General on 7 October 2005 (S/2005/635). The Council pays tribute to Ambassador Eide's work in compiling his important report.

"The Security Council recalls the Secretary-General's report of 23 May 2005 (S/2005/335) in which he initiated the comprehensive review conducted by Ambassador Eide. In the light of the findings in Ambassador Eide's report, the Council stresses that further, more sustained progress is required, and that the implementation of standards in Kosovo must continue with undiminished energy and a stronger sense of commitment, as underlined by the Secretary-General in his letter. It urges Kosovo's leaders to increase their efforts to ensure the implementation of standards at all levels, allowing tangible results to be delivered to all Kosovo's citizens. Particular and time-conscious attention should be given to protecting minorities, developing further the process of decentralization, creating the necessary conditions to allow sustainable returns, preservation of cultural and religious heritage in Kosovo, and promoting reconciliation. The Council also urges the authorities in Belgrade to do their utmost to facilitate this process, and to engage constructively. The Council reaffirms its full support for the Special Representative of the Secretary-General, Mr. Søren Jessen-Petersen, and UNMIK in their continuing work to support the implementation of standards, which must continue during the future status process and will be an important factor in determining the degree of progress.

"The Security Council agrees with Ambassador Eide's overall assessment that, notwithstanding the challenges still facing Kosovo and the wider region, the time has come to move to the next phase of the political process. The Council therefore supports the United Nations Secretary-General's intention to start a political process to determine Kosovo's future status, as foreseen in Security Council resolution 1244 (1999). The Council reaffirms the framework of the resolution, and welcomes the Secretary-General's readiness to appoint a Special Envoy to lead the future status process. It looks forward to an early appointment. The Council offers its full support to this political process, which would determine Kosovo's future status, and further reaffirms its commitment to the objective of a multi-ethnic and democratic Kosovo, which must reinforce regional stability.

"The Security Council welcomes the intention of the Contact Group (France, Germany, Italy, the Russian Federation, the United Kingdom and the United States of America) to remain closely engaged in the political process that will be led by the United Nations, and to support the Secretary-General's Future Status

Envoy. The Council calls upon interested regional and international organizations to cooperate closely in the process to determine Kosovo's future status. The Council also supports the meaningful involvement and cooperation of countries in the region.

"The Security Council requests that the Secretary-General provide regular updates on progress in determining Kosovo's future status, as defined by Security Council resolution 1244 (1999), and will remain actively seized of the matter."

This statement will be issued as a document of the Security Council under the symbol S/PRST/2005/51.

The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 1.30 p.m.

United Nations S/PV.5291

Security Council

Distr.: General
24 October 2005

Original: English

Official communiqué of the 5291st (closed) meeting of the Security Council

Held in private at Headquarters, New York, on Monday, 24 October 2005, at 3 p.m.

In accordance with rule 55 of the provisional rules of procedure of the Security Council, the following communiqué was issued through the Secretary-General in place of a verbatim record:

"On 24 October 2005, the Security Council, pursuant to resolution 1353 (2001), annex II, sections A and B, held its 5291st meeting in private with the troop-contributing countries to the United Nations Mission for the Referendum in Western Sahara.

"The Security Council and the troop-contributing countries heard a briefing under rule 39 of its provisional rules of procedure by Ms. Lisa Buttenheim, Director of the Asia and Middle East Division of the Department of Peacekeeping Operations.

"Members of the Council, Ms. Buttenheim and representatives of participating troop-contributing countries had a constructive exchange of views."

05-56716 (E) 241005

United Nations S/PV.5292

Security Council

Sixtieth year

Provisional

5292nd meeting

Tuesday, 25 October 2005, 10 a.m.

New York

President:	Mr. Motoc	(Romania)
Members:	Algeria	Mr. Baali
	Argentina	Mr. Mayoral
	Benin	Mr. Idohou
	Brazil	Mr. Sardenberg
	China	Mr. Wang Guangya
	Denmark	Ms. Løj
	France	Mr. De La Sablière
	Greece	Mr. Vassilakis
	Japan	Mr. Oshima
	Philippines	Mr. Baja
	Russian Federation	Mr. Denisov
	United Kingdom of Great Britain and Northern Ireland	Sir Emyr Jones Parry
	United Republic of Tanzania	Mr. Mahiga
	United States of America	Mr. Bolton

Agenda

The situation in the Middle East

Letter dated 20 October 2005 from the Secretary-General addressed to the President of the Security Council (S/2005/662)

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A.

05-56783 (E)

The meeting was called to order at 10.35 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in the Middle East

Letter dated 20 October 2005 from the Secretary-General addressed to the President of the Security Council (S/2005/662)

The President: I should like to inform the Council that I have received letters from the representatives of Lebanon and the Syrian Arab Republic, in which they request to be invited to participate in the consideration of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

On behalf of the Council, I extend a warm welcome to His Excellency Mr. Boutros Assaker, Acting Secretary-General of the Lebanese Ministry of Foreign Affairs and Emigrants.

At the invitation of the President, Mr. Assaker (Lebanon) and Mr. Mekdad (Syrian Arab Republic) took seats at the Council table.

The President: In accordance with the understanding reached in the Council's prior consultations, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Detlev Mehlis, Commissioner of the United Nations International Independent Investigation Commission.

It is so decided.

I invite Mr. Mehlis to take a seat at the Council table.

I welcome the presence of the Secretary-General, Mr. Kofi Annan.

The Security Council will now begin its consideration of the item on its agenda. The Security Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them document S/2005/662, which contains a letter dated 20 October 2005 from the Secretary-General, transmitting the report of the United Nations International Independent Investigation Commission.

I also draw the attention of Council members to document S/2005/651, which contains a letter dated 14 October 2005 from the representative of Lebanon addressed to the Secretary-General.

I now give the floor to Mr. Detlev Mehlis, Commissioner of the United Nations International Independent Investigation Commission.

Mr. Mehlis: The terrorist attack of 14 February 2005 that claimed the lives of Mr. Rafik Hariri and 22 others was a landmark event in the history of Lebanon. It was a tragedy that came as the country was beginning to heal the wounds of a long civil war. Allow me first to pay tribute to the memory of all the victims and acknowledge the suffering of the bereaved families.

On 7 April 2005, the Security Council adopted resolution 1595 (2005), whereby the United Nations International Independent Investigation Commission (UNIIIC) was set up. The Commission was designed to be a supportive mechanism for the Lebanese judicial and security authorities to carry forward the investigation into the assassination.

Before going into the details of this unique and unprecedented experience — by United Nations standards — I would like to express my sincere thanks to the Secretary-General and to the Security Council members, who, by appointing me, have shown me and my team trust and confidence, upon which I have drawn throughout the five months I have spent in Lebanon and which has been a great source of comfort and encouragement. My heartfelt thanks also go to the Lebanese people and Government for their unwavering support and full confidence.

The Commission, which was established in full agreement with the Government of Lebanon, became fully operational on 16 June 2005. In keeping with the letter and the spirit of resolution 1595 (2005), the Commission and the Government of Lebanon signed a memorandum of understanding outlining the modalities of cooperation between the two parties.

Having set the framework of work and cooperation early on, the Commission has been able to

move ahead with its investigation. The earlier Fact-finding Mission led by Mr. Peter FitzGerald and the accompanying files were a valuable source of information during the early phase of our work. In addition, we relied to a large extent on the 8,000-page Lebanese case docket handed over to the Commission in order to understand the dimensions of the case, to draw up a preliminary list of potential witnesses and suspects and to focus on possible leads to pursue.

To the credit of the Lebanese judicial and security authorities, they have come a long way in terms of their ability to pursue the investigations. Some problems of public trust remain. More recently, they have shown growing levels of professionalism and competence. They have been helped in this by the presence and active support of the United Nations. Undoubtedly, one of the main reasons for this positive change is the setting aside of past constraints and the stepping down of the old guard. On the other hand, the close interest and valuable support shown by the international community in Lebanese affairs has been encouraging.

The Commission established close working links with the Lebanese authorities, and channels of communication were kept open with all sides. With the political authorities, arrangements were made to facilitate our work and to give the Commission the moral and physical backing it most needed. With the judicial authorities, regular meetings were held to exchange updated information, files, statements and new evidence. Plans were agreed for the upcoming phases of the investigation, and lists of witnesses were submitted to the Lebanese authorities for summoning for questioning. With the security authorities, raid and search operations were conducted in tandem. A striking example was the joint UNIIIC-Internal Security Forces (ISF) operation carried out on 30 August 2005 for the house raid and search of former senior security officials, who were later arrested by the Lebanese authorities.

Thanks to the backing and active engagement of the Lebanese authorities, we have been able to integrate our work together, as envisaged by the Security Council in April. Of utmost importance has been the valuable assistance extended by other organizations of the United Nations family, as well as by other international organizations, such as Interpol. Several United Nations Member States provided expertise that contributed in no small measure to shedding light on major areas of the investigation. On behalf of all the members of the Commission, I wish to convey to all of them my sincere thanks and profound gratitude.

On 19 October 2005, I submitted the Commission's report to the Secretary-General. Our modus operandi, our findings and conclusions are set out in that document, which is before you today at this important session of the Council. I do not wish to burden you by repeating the content of that report or with further details. However, there are certain elements and facts that I wish to stress at this time.

Over 130 days, 30 investigators from 17 countries interviewed more than 400 witnesses and suspects, reviewed approximately 60,000 documents and produced more than 16,500 pages of documents. More than 450 pieces of evidence have been collected. Some main lines of investigation have been identified and leads established.

However, for such a multidimensional and complex case as the one under review, the investigation cannot be considered complete as of now. More time should be allotted to further investigate our findings and look into emerging leads. I would note that it is entirely normal that a case of this type takes many months, if not years, to cover all aspects of investigation with certitude and to prepare a case for prosecution.

The Lebanese Government recently asked for an extension of the Commission's mandate until 15 December. As the extension has been granted, the Commission's modus operandi will remain unchanged — that is, the Commission will maintain the same level of cooperation with the Lebanese authorities and, wherever possible, will help to enhance it. The Commission will re-interview a number of witnesses and interview new ones as the investigation unfolds. It will complete its examination of material evidence obtained recently. And it will endeavour to provide the Lebanese authorities with any technical assistance they might require.

Moreover, the Commission is of the view that this would provide yet another opportunity for the Syrian authorities to show greater and meaningful cooperation and to provide any relevant substantial evidence on the assassination. For this reason, the Syrian authorities may wish to carry out, on their part, their own investigation into the assassination of Mr. Hariri in an open and transparent manner. That would enable the

Commission to fill in the gaps and to have a clearer picture about the organizers and perpetrators of the 14 February terrorist act.

As the Commissioner of UNIIIC, I am also responsible for the safety and security of my staff. Therefore, since the Commission will continue its work until 15 December, the safety and security of its members must be a priority. Ever since the Commission started its work in Lebanon, in addition to its own security team, the Lebanese security forces — namely, the army and the police — have played a major role in ensuring the protection of its members and headquarters. They took exceptional security measures, for which I wish to thank them on behalf of all the Commission's members.

However, it should be noted that despite all the precautionary measures, the level of risk, which was already high, will further increase, particularly after the issuance of the report. I would also add that the Commission has received a number of threats that were deemed, in the assessment of our security personnel, to be credible.

In conclusion, allow me to reiterate that the total number of investigators who have served in the Commission was 30, coming from 17 different United Nations Member States. The drafting team was composed of members representing eight different nationalities. It has been of particular importance to me to maintain a geographical balance in the teams in order to enhance the Commission's credibility.

Finally, if and when the overall investigation is completed, it will be up to the Lebanese authorities to seek the way ahead and determine the nature and location of any judicial mechanism to be set up. In the meantime, the Lebanese judicial and security authorities, who have shown good will and demonstrated a growing ability to handle the case, would benefit from all the legal and technical support the international community could provide, either bilaterally or through the United Nations system.

The President: I now give the floor to His Excellency Mr. Boutros Assaker, Acting Secretary-General of the Ministry for Foreign Affairs and Emigrants of Lebanon.

Mr. Assaker (Lebanon) (*spoke in Arabic*): Mr. President, at the outset, I would like to thank you for inviting me to address the Council on behalf of Lebanon. I also wish to express our thanks to the Security Council for its concern at and close follow-up of the terrorist crime that took place on 14 February 2005, which resulted in the martyrdom of former Prime Minister Rafik Hariri, parliament member Basil Fleihan and several others.

This crime threatened Lebanon's security and stability and targeted a figure who had played a major role in its reconstruction and renaissance after years of war. The Lebanese people and their Government were united in condemning this crime and showed determination and persistence in uncovering all its aspects and in punishing its perpetrators. In this context, we are grateful that the Security Council responded favourably to Lebanon's unanimous request by forming the United Nations International Independent Investigation Commission, as called for in its resolution 1595 (2005).

Lebanon expresses its appreciation to the International Investigation Commission and to its Head, Mr. Detlev Mehlis, for the important work performed and for the great efforts deployed, which have culminated in the report before us. This report constitutes a solid basis that will help complete the requested investigation by revealing all aspects of this terrorist crime. It will establish justice by punishing the criminal murderers, whoever and wherever they are.

In this regard, we welcome the extension of the mandate of the Commission to 15 December 2005, and we reaffirm the continued cooperation of the State of Lebanon and all of its concerned institutions in order to attain the noble objective to which we all aspire. Lebanon is pleased with the contents of the Commission's report pertaining to the role played by the Lebanese judicial and security institutions, underscoring the positive cooperation of those institutions with the Commission throughout the various stages of the investigation. We are of the view that strengthening the performance of these institutions is a crucial step in the reform process currently being undertaken by the Government of Lebanon. In this context, the Government requests the support of brotherly and friendly States to help this reform process.

Lebanon calls on all parties concerned to cooperate sincerely and effectively with the International Independent Investigation Commission, in compliance with Council resolution 1595 (2005).

Uncovering the complete and absolute truth and punishing all the criminal murderers, wherever they are, corresponds to the aspirations of the Lebanese people, as expressed by the Government of Lebanon, with the support of the international community.

At the same time, the Lebanese Government, reflecting the convictions of the Lebanese people in all their policies, affirms that establishing justice by uncovering the truth and punishing all the murderers will help to enhance stability and security in Lebanon and throughout the region. This is a matter of great importance and concern for us.

Finally, Lebanon would like to thank those brotherly and friendly States that have provided support at this critical stage and continue to do so. Lebanon also thanks the Security Council and Secretary-General Mr. Kofi Annan for their continued follow-up of the Commission's work and their interest in the situation in Lebanon. We also reiterate our thanks to the International Independent Investigation Commission and to its Head for their important and promising work. We hope that it will continue and that it will contribute to the establishment of justice, which remains our primary demand.

The President: I now give the floor to the representative of the Syrian Arab Republic.

Mr. Mekdad (Syrian Arab Republic) (*spoke in Arabic*): First of all, Mr. President, I would like to congratulate you upon your assumption of the presidency of the Security Council this month. I wish you all success in the discharge of your responsibilities. I would also like to express our appreciation for the efforts made by your predecessor, Ambassador Baja, the Permanent Representative of the Philippines, in conducting the business of the Council last month. I would like to join you in welcoming the Secretary-General, Mr. Kofi Annan, who is with us in this meeting.

Allow me to express my gratitude to you, Mr. President, for giving me the opportunity to address the Security Council before its important deliberations on the report of the International Independent Investigation Commission. At the outset, I would like to assure those present here that what I will say expresses the truth as seen by the leadership and the people of Syria. I also reiterate our full faith in the role of the United Nations and our total respect for its resolutions.

The heinous crime that took the life of Premier Hariri targeted the unity and stability of Lebanon. It also targeted the Syrian sacrifices for Lebanon and its status in both Lebanon and the region. Based on this, Syria, when informed of the crime, reaffirmed that finding the culprits and those who backed them is a Syrian imperative as much as it is a Lebanese imperative.

I would also like to point out that this dastardly act has led to an escalation of tension in the region, particularly because in some quarters, either on the basis of a suspect or premeditated scheme or out of bad faith, this crime has been used in a despicable manner in order to fan the flames of hostility against Syria and to increase accusations against it.

It is indeed strange that every crime committed has a number of suspects, except this particular crime for which unfortunately only one possibility has been advanced, involving an accusation against Syria, levelled even before the body of Mr. Hariri was laid to rest.

I will not lay out for the Security Council a history of the relations between the peoples of Syria and Lebanon and our countries. However, I will say briefly that these two independent Arab States have been linked throughout history by the ties of neighbourliness, kinship, aspirations and mutual concerns. In that regard, Syria was in a unique position to come to Lebanon's aid when, in 1975, a destructive civil war erupted and tore that country apart and destroyed the role of its institutions, its army and its national fabric. The end of the civil war and return to normalcy could not have been achieved without huge sacrifices, namely at least 13,000 Syrian military personnel who made the ultimate sacrifice while extinguishing the fires of the civil war in Lebanon.

The security, stability, independence and sovereignty of Lebanon have always been in the forefront of Syria's concerns. In order to achieve them, Syria has cooperated with all loyal sons of Lebanon, including the late Prime Minister Rafik Hariri, who always supported the role of Syria in Lebanon and always gave expression to that, both when he was in power and when he was not. He always expressed his faith in the role of Syria and his appreciation for its assistance, even doing so just a few minutes before he was assassinated.

This heinous crime runs counter to all the principles that Syria upholds and clearly is against Syrian interests.

Allow me to make a few comments on the report introduced by Mr. Mehlis a few moments ago (S/2005/662). In view of the fact that every paragraph of the report deserves a comment to refute its content, I will put our remarks before you in brief in the hope that Council members will take them into account during its consideration of the report in subsequent consultations.

First, I would like to point out that the report is clearly influenced by the political climate prevailing in Lebanon after the assassination of former Prime Minister Hariri. That is clearly evident in the second chapter of the report, entitled "Background". In paragraphs 25 and 26 and what follows in that chapter, the report examined the structure of Syrian-Lebanese relations and their ramifications on the Lebanese arena.

Secondly, it is indeed regrettable for us to read in the report the Commission's strange hypothesis that:

> "Given the infiltration of Lebanese institutions and society by the Syrian and Lebanese intelligence services working in tandem, it would be difficult to envisage a scenario whereby such a complex assassination plot could have been carried out without their knowledge." (*S/2005/662, para. 216*)

On that basis, the report can be seen to accuse Syria. But, then, what about the major terrorist crimes that were, regrettably, carried out on 11 September 2001 in New York, on 11 March 2005 in Madrid, and on 7 July 2005 in London — as well as the many other terrorist acts that have been carried out — despite the fact that all those countries have very strong and highly effective intelligence and security authorities? Again, there is a hypothesis in paragraph 124, that

> "There is probable cause to believe that the decision to assassinate former Prime Minister Rafik Hariri could not have been taken without the approval of top-ranked Syrian security officials and could not have been further organized without the collusion of their counterparts in the Lebanese security services." (Ibid., para. 124)

However, that is a charge that could be levelled against the security service of any country in the world on whose territory a terrorist crime or act has taken place.

In later paragraphs, among other things, the report bases its conclusions on the wiretapping of former Prime Minister Hariri by the Lebanese security service. However, the report also mentions, and then summarily dismisses, another hypothesis: the possibility that an unknown, third party carried out a wiretap.

Thirdly, the report's conclusions, which point the finger at Syria, depend completely on the credibility of the testimony of people with strongly declared political antipathy to Syria. At the same time, the report casts doubt on the credibility of the testimony of Syrian officials.

Fourthly, the report contains the testimony of three persons, only one of whom is identified. He is a forger and a swindler, and he has been previously convicted by both the Lebanese and Syrian judicial authorities. In addition, the three sets of testimony contradict each other, and thus they lack the necessary credibility to be relied upon.

Fifthly, the report, in both form and content, accuses my country before the investigation has been completed. That can be seen by the results and conclusions drawn under the chapter entitled "Conclusions". The Commission admits, however, that it must continue its investigations in a number of areas in order to identify the perpetrators of this criminal act. I am pleased that, in the preface to the report, Mr. Mehlis refers to the need to continue investigations. The Commission further states that the investigation still needs a considerable amount of time. In paragraph 20, the report states:

> "the investigation of such a terrorist act with multifaceted international dimensions and their ramifications normally needs months (if not years) to be completed so as to be able to establish firm ground for a potential trial of any accused individuals". (Ibid., para. 20)

Here, I would like to step back and address those who are in such a hurry to pass judgement, to adopt resolutions, to impose measures and to mobilize members of the Security Council in support of their extremist position. I wonder what their real objectives are? I am certain that they have nothing to do with

uncovering the truth, which is the common objective of both Syria and the international community.

The report accuses Syria of not having sufficiently cooperated with the Commission. That accusation does a great injustice to Syria. Syria has sent letters to the Commissioner of the Investigation Commission, informing him of its readiness to cooperate. Syria sent a representative to Geneva to meet with the Commissioner at a time of his choosing, with various dates suggested before the issuance of the procedural report. On the basis of that meeting, the Commissioner and one of his assistants visited Syria on 12 September 2005. During that visit, procedures were agreed on for those whom the Commission wished to interview. However, paragraph 34 of the report states that the Syrian Authorities refused to have the Commission interview those individuals in a third country. It goes on to report that each interview was conducted in the presence of a representative of the Syrian Ministry of Foreign Affairs, one interpreter, two note takers and additional persons whose affiliations were not identified. In paragraph 35, the report concludes that the lack of cooperation of the Syrian Government with the Commission has impeded the investigation and made it difficult to follow leads established by the evidence collected from a variety of sources. That is an extremely strange statement, as it runs counter to the agreement made with the Commissioner of the Investigative Commission.

Syria offered for the meetings to be held in any place on Syrian territory to be chosen freely by the Commission. The Commission expressed its wish to have the interviews take place near the Syrian-Lebanese border and that was precisely what happened. The Commission could have rejected that arrangement. Concerning the presence of a representative of the Ministry of Foreign Affairs at the interviews, the representative in question was a lawyer and was present in that capacity. Mr. Mehlis did not object to the representative's presence. He could have objected to that and his request would have been honoured. As for the presence of a note taker, the note taker was present at Mr. Mehlis's request, so that the witness could read the record of their testimony and sign it in Arabic. As for the presence of other persons referred to in the report, the Commission must identify them, because the place where the interviews took place was under United Nations security control.

Following those meetings and interviews, one of the investigators informed us on 22 September that the group would like to come back and hear from other witnesses whose names were mentioned during the interviews. Syria agreed to that request, but the Commission has not returned to Damascus. It should be recalled that the Commission contacted the Legal Adviser to the Ministry of Foreign Affairs for more information in order to complete its investigation after leaving Damascus. Syria provided the Commission with the answers requested at the time. All of which proves that Syria has fully cooperated with the Commission and therefore refutes the accusation that it failed to do so.

In paragraph 16 of its report, the Commission complained that the media had a tendency to continuously publish rumours and speculation. Syria has had reason to complain about the media campaign against it because of the leaks from the Commission and from certain quarters of the United Nations. Moreover, we had thought that the Commission was committed to the principle of confidentiality in carrying out its investigation. However, that principle was repeatedly violated before the writing of the report, in addition to the fact that the report itself was leaked to the media before it was given to us.

We must also recall that an agreement was reached with Mr. Mehlis and that the Commission had sufficient time to review the agreement and to request that it be amended between the two parties in a manner consistent with the Commission's approach. However, nothing of the sort was put before us.

During the past period, Syria has cooperated faithfully and sincerely with the International Independent Investigation Commission. As we have stated previously, that stems not only from Syria's commitment to international legality, but also from its serious desire to arrive at the truth. Here, I should like to reaffirm before the Council that during the coming period, Syria will continue to cooperate with the Commission and will provide it with any information that can assist it in concluding its investigation and in arriving at the truth.

His Excellency Mr. Bashar Al-Assad, President of the Syrian Arab Republic, has stated that Syria is innocent of this crime and is ready and willing to pursue and prosecute any Syrian conclusively implicated in it. Syria is the main victim of this crime,

in particular because the relations between Syria and the late Prime Minister Hariri had been characterized by cooperation and respect since the mid-1980s. That fact was personally reaffirmed by the Prime Minister in an interview with the Lebanese newspaper As-Safir on 14 February 2005, minutes before he was assassinated.

Finally, in its report the International Independent Investigation Commission acknowledged that it has an extensive programme of work and that it considers all persons — including those against whom it has levelled accusations — to be innocent until proven guilty. Therefore, the Commission should not have accused or cast doubt on anyone; it should have limited itself to submitting a procedural report pending the completion of its investigation into the various areas referred to in its report, and it should have provided evidence for its accusations.

We look forward to the Security Council's consideration of the report in the light of the points we have just raised. Those points have also been raised by hundreds of specialists, jurists and politicians in many countries. Lebanon and the region from which we come need tranquillity and stability, not further destabilization and suffering.

In conclusion, I reiterate that Syria will spare no effort to achieve the stability of Lebanon, because that is at the heart of our strategy and of the aspirations of the two brotherly Syrian and Lebanese peoples.

The President: I thank the representative of the Syrian Arab Republic for the kind words he addressed to the Chair.

There are no further speakers inscribed on my list. In accordance with the understanding reached in the Council's prior consultations, I should now like to invite Council members to informal consultations to continue our discussion on the subject.

The meeting rose at 11.15 a.m.

United Nations S/PV.5293

Security Council

Sixtieth year

Provisional

5293rd meeting

Wednesday, 26 October 2005, 10.00 a.m.

New York

President:	Mr. Motoc	(Romania)
Members:	Algeria	Mr. Baali
	Argentina	Mr. Mayoral
	Benin	Mr. Idohou
	Brazil	Mr. Sardenberg
	China	Mr. Wang Guangya
	Denmark	Ms. Løj
	France	Mr. De La Sablière
	Greece	Mr. Vassilakis
	Japan	Mr. Kitaoka
	Philippines	Mr. Baja
	Russian Federation	Mr. Denisov
	United Kingdom of Great Britain and Northern Ireland	Sir. Emyr Jones Parry
	United Republic of Tanzania	Mr. Mahiga
	United States of America	Mr. Bolton

Agenda

Briefings by Chairmen of subsidiary bodies of the Security Council

Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities

Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism

Security Council Committee established pursuant to resolution 1540 (2004)

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A.

05-57113 (E)

The meeting was called to order at 10.15 a.m.

Adoption of the agenda

The agenda was adopted.

Briefings by Chairmen of subsidiary bodies of the Security Council

Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities

Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism

Security Council Committee established pursuant to resolution 1540 (2004)

The President: I should like to inform the Council that I have received letters from the representatives of Chile, Colombia, Costa Rica, Cuba, Fiji, India, Israel, Liechtenstein, Samoa, Switzerland and the Bolivarian Republic of Venezuela, in which they request to be invited to participate in the consideration of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, the representatives of the aforementioned countries took the seats reserved for them at the side of the Council Chamber.

The President: In accordance with the understanding reached in the Council's prior consultations, I shall take it that the Security Council agrees to hear briefings under rule 39 of its provisional rules of procedure by Ambassador César Mayoral, Chairman of the Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities; Ambassador Ellen Margrethe Løj, Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism; and the representative of Romania in his capacity as Chairman of the Security Council Committee established pursuant to resolution 1540 (2004).

It is so decided.

The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

I wish to draw the attention of the members of the Council to document S/2005/663, which contains the text of a letter dated 21 October 2005 from the Chairman of the Counter-Terrorism Committee addressed to the President of the Security Council, transmitting the Committee's seventeenth 90-day work programme.

At this meeting, we will hear briefings by the Chairman of the 1267 Committee, the Chairman of the 1373 Committee and the Chairman of the 1540 Committee.

I now give the floor to Ambassador César Mayoral, Chairman of the Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities.

Mr. Mayoral (*spoke in Spanish*): This is my first report pursuant to paragraph 16 of resolution 1617 (2005). Since my last briefing to the Security Council, 11 individuals and one entity have been added to the list, and one individual has been removed from the list.

The Committee considered in great detail the third report of the Analytical Support and Sanctions Monitoring Team, published as document S/2005/572. The Committee agreed with a number of its recommendations. Some recommendations will be referred to the Counter-Terrorism Committee, as we see them as valuable but outside the scope of our mandate. Also, there are some recommendations which will require further consideration by the Committee, including on important matters such as listing and delisting. Pursuant to paragraph 18 of resolution 1617 (2005), I can inform the Council that consideration of the revised draft guidelines has begun and that the agreed work programme contains a clear outline for our discussions.

Pursuant to paragraph 8 of the same resolution, the Committee has substantively increased cooperation with Interpol. A resolution adopted at the Interpol General Assembly in September will enable us to initiate a number of practical steps, including the issuance by Interpol of a new notice indicating that an individual has been placed on the Consolidated List. It is our expectation that this will significantly improve the implementation by Member States of the sanctions, in particular the travel ban. Here, I would like to express the Committee's appreciation for the efforts made by the Monitoring Team and by the Interpol Special Representative in New York, Mr. Klaus Ulrich Kersten, in advancing cooperation between the Committee and Interpol.

The Committee also considered a request from the Principality of Liechtenstein to make available the Consolidated List maintained by the Committee pursuant to paragraph 3 (a) of resolution 1452 (2002) to interested Member States. After extensive consultations, the Committee did not grant that request. Nonetheless, at the Principality's request, the letter has been forwarded to the Council for issuance as an official document.

The Committee took note of the participation of four listed individuals in the Afghan parliamentary elections held on 18 September 2005. The Committee decided to contact Afghan representatives in New York to remind them of their country's obligations regarding resolution 1617 (2005), and requested the Monitoring Team to clarify with the Afghan Government how this issue will be dealt with.

I turn now to the activities of the Monitoring Team. Since the appointment of its members in September the Team has attended and held various meetings in New York and abroad, including the already mentioned Interpol General Assembly; a conference of East African intelligence and security heads, where it was able to explain and promote the work of the Committee; and a conference on terrorist use of the Internet. In addition, the Team has visited three countries in Southern Africa, and a Team member accompanied me on my recent travels. In New York the Team has met various visiting counter-terrorism experts and has held discussions with the Action against Terrorism Unit of the Organization for Security and Cooperation in Europe as a result of my trip to Vienna, and with the European Commission Legal Service.

The Committee continues to greatly appreciate the work of the Monitoring Team and looks forward to the consideration of its next report, to be submitted at the end of January 2006.

Let me now speak of my visit to selected States. Between 8 and 19 October I undertook a visit to selected countries pursuant to paragraph 15 of resolution 1617 (2005). I visited Nigeria, the Organization for Security and Cooperation in Europe Permanent Council in Vienna and Chad.

As discussed in the Committee, we have found an increasing need to focus on visits to Member States where there may be concerns about capacity, the need for technical assistance and the requirement for the submission of reports pursuant to resolution 1455 (2003). I found the trip useful in terms of better understanding views of the effectiveness of the sanctions regime and the possible improvements that can be made to it, including as a result of regional threat assessments.

In both Nigeria and Chad we were honoured to meet a number of ministers and other authorities dealing with the implementation of the sanctions measures, and I had an opportunity to convey the Committee's strong interest in receiving reports pursuant to resolution 1455 (2003). I should, at this point, note that 48 Member States have yet to report to the Committee; we continue to urge all non-reporting countries to submit their reports as soon as possible. Chad and Nigeria are among those countries, and their authorities assured me that the reports would soon be forthcoming.

Again, the visits to Nigeria and, in particular, to Chad were most useful as they gave me an insight into the effects of a lack of technical capacity to implement the sanctions regime. I have no doubt that the political will is present in both countries; this was clearly displayed by the authorities at all levels. But the Committee and the Security Council need to consider what can be done to further assist countries with a need for technical assistance.

In response to an invitation from the Permanent Council of the Organization for Security and Cooperation in Europe, I briefed the Permanent Council in Vienna and met with relevant officials. I also briefed Permanent Representatives there and met with the Director General of the United Nations Office at Vienna and Executive Director of the United Nations

Office on Drugs and Crime. The discussions I had at the OSCE were very useful, and I hope they will be a first step in what should be a very fruitful process of enhancing our cooperation with regional organizations.

I turn now to the future work of the Committee and the Monitoring Team. Security Council resolution 1617 (2005) provides the very clear guidance to the Committee with regard to its future activities. First of all, its work should be focused on the adoption of the Committee's revised guidelines, including listing and delisting procedures and the implementation of resolution 1452 (2002).

Secondly, it reiterates the need for regular dialogue with Member States through oral or written communications regarding effective implementation of the sanctions measures, including through involvement in the improvement of the Committee's list.

Thirdly, the resolution urges the Committee to maximize its performance by benefiting from the work of the relevant specialized agencies and international organizations.

Fourthly, the resolution reiterates the need for close cooperation and continuous information-sharing among all three counter-terrorism bodies. It is my firm intention to intensify the work of the Committee in forthcoming months to achieve those objectives. Members of the Committee and I will continue to rely on the professional assistance of the coordinator and members of the Monitoring Team.

In conclusion, the sanctions targeting Al-Qaida and Taliban members and their associates are an effective, although not yet perfect tool in the fight against terrorism. It is the responsibility of the Council to constantly sharpen and improve that tool. In order to render sanctions as effective as possible all States must contribute to their implementation. Only then will United Nations sanctions play their intended role and function as a significant preventive measure that will assist, working together with other counter-terrorist measures, in combating terrorist activities rather than merely reacting to their tragic consequences.

The President: I thank Ambassador Mayoral for his briefing. I now give the floor to Ambassador Ellen Margrethe Løj, Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism.

Ms. Løj (Denmark): In my capacity as Chairman of the Counter-Terrorism Committee (CTC) I would like to review the Committee's activities over the past three months, and to submit to the Security Council the Committee's seventeenth work programme for the current three months period, lasting until 31 December 2005.

I want to thank the Head of the Counter-Terrorism Committee Executive Directorate (CTED), Mr. Javier Rupérez, and his team, as well as the Secretariat staff, for the valuable support they give to the CTC.

Before I elaborate on the work of the Committee, I would like to point out that we now have a fully staffed Executive Directorate. The Committee will therefore benefit fully from the assistance envisaged in the revitalization documents. More significantly, the Committee hopes Member States will begin to profit from the fact that we now have the resources to give them the guidance and advice they might want in fulfilling the provisions of resolution 1373 (2001). I sincerely hope that States will take advantage of that valuable resource and ask for whatever assistance they need to further their counter-terrorism efforts.

Over the past three months, the Committee has focused on the following priority areas: we are engaging with regional organizations, which have more recently developed a counter-terrorism agenda; we are catching up on the backlog of reports from States; we are continuing to look at ways to do our job better as facilitators of technical assistance; we continue to visit States, always with their consent; we are enhancing our dialogue and cooperation with international, regional and subregional organizations, inter alia, through their involvement in the CTC visits to States and by engaging them to help us strengthen our capacity to promote implementation of resolution 1373 (2001). We are also taking steps to ensure follow-up to Security Council resolution 1624 (2005) on incitement of terrorism adopted at the summit meeting in September; and finally, we are engaging in policy discussions aimed at giving CTED the guidance foreseen in the revitalization documents.

Let me brief you in greater detail on each of those areas and explain to you what we hope to accomplish by the end of the year.

First, the Committee regularly stresses the importance of regional organizations in the fight

against terrorism. Regional groups are increasingly vital as we move towards facilitating technical assistance to States that are unable to do everything they would like in the fight against terrorism. The importance of regional organizations in this regard was also reflected in resolution 1631 (2005) passed in connection with the Security Council debate on 17 October 2005 on cooperation between the United Nations and regional organizations in maintaining international peace and security.

I am, therefore, pleased to note that an increasing number of regional organizations continue to develop their counter-terrorism agendas and include efforts to help their members implement the provisions of resolution 1373 (2001). The CTC and its CTED stand ready to provide guidance and assistance to such organizations in those endeavours, and I urge organizations to come forward as they realize they can benefit from closer contact with the Committee and its CTED. For its part, the Committee too will take advantage of CTED's improved resources to do more to reach out to regional groups.

In that light, I am pleased to note the strengthening of the Committee's dialogue with several regional organizations over the past three months. For example, the Committee welcomed a briefing on 21 July 2005, by the Director of the Peace and Security Division of the Intergovernmental Authority on Development (IGAD). Several IGAD members are behind in reporting to the Committee and are asking for help in building their capacity to fight terrorism. I hope the CTC will be able to provide IGAD with the necessary guidance and assistance for it to succeed in its endeavour to develop its counter-terrorism agenda and to help its members.

I also welcome the initiative taken by the Pacific Islands Forum to enhance its dialogue with the CTC about timely reporting and the possible facilitation of assistance to its needy member States. Similarly, CTC welcomes that the Caribbean Community (CARICOM) has decided to establish a crime and security taskforce, which includes counter-terrorism in its mandate. The Committee is looking forward to cooperate with it.

At the same time, CTC and its CTED are continuing cooperation with organizations such as the European Union, the African Union, the Association of Southeast Asian Nations, the Collective Security Treaty Organization, the Council of Europe, the Organization of Security and Cooperation in Europe (OSCE) and the Organization of American States, to name a few.

In that regard we also note the essential contribution made by such international organizations as the International Civil Aviation Organization (ICAO), the International Maritime Organization (IMO), the World Customs Organization (WCO), the Financial Action Task Force on Money Laundering (FATF), the International Criminal Police Organization (INTERPOL) and the United Nations Office on Drugs and Crime (UNODC) to CTC visits to Member States and the finalization of reports from such visits. We continue our interaction with those organizations in the preparation of new visits. The Committee encourages the international, regional and subregional organizations to consider ways to enhance their bilateral cooperation in order to assist each other in developing their counter-terrorism agenda.

In that connection, it is time for the Committee to consider how to follow-up on the latest special meeting with international, regional, and subregional groups. Previous gatherings have done a lot to enhance the common effort. The Committee will be considering how to approach future meetings in order to ensure that they will be equally useful for everyone concerned.

A second priority for the Committee is reflected in its determination to eliminate the backlog of reports from States on their implementation of resolution 1373 (2001) by the end of the year. Moreover, as indicated in the seventeenth work programme, we will examine ways of updating the reporting regime. This includes looking at how to ensure that all aspects of resolution 1373 (2001) are included in future dialogues with States. Also, in cooperation with the 1540 and 1267 Committees, we will discuss ways of jointly addressing the so-called reporting fatigue referred to by several States at public meetings such as this. We are conscious of the recent summit's call for the Council to consider streamlining the reporting procedure.

Thirdly, it is already well established that the CTC assesses assistance needs when discussing how far States have come in implementing resolution 1373 (2001). In the most recent reporting period, the Committee has assessed assistance needs and obtained agreement to share needs with potential donors for 25 States. We started sharing the needs assessments with

the Counter-Terrorism Action Group, and we are in touch with a number of potential donors.

Over the next months, the Committee intends to strengthen its dialogue with States to determine what each one needs in order to reach agreement on such needs and to stress the importance of meeting those needs. In this process, the CTC will also enhance its cooperation with the relevant international organizations, which often have the required experience in specific areas of resolution 1373 (2001). The CTC will also look at how its dialogue with potential donors can become more result-oriented. As part of the Committee's consideration and dialogue, the technical assistance providers and recipients will include issues of prioritization and focus, in order to be able to make the greatest impact on the global counter-terrorism effort. The Committee is well aware that much has been said about facilitation and that the time has come to produce concrete results.

Fourthly, visits to States continue to be an important part of monitoring implementation of resolution 1373 (2001) and of gaining a better understanding of assistance needs. Since I last reported to the Council, the Committee has finalized reports from its first four visits, in cooperation with the visited States and the involved international and regional organizations. The Committee must now ensure the appropriate follow-up to such visits, while the States, for their part, work to meet their commitments to further their implementation of 1373 (2001), as agreed in the respective visit reports. Moreover, the Committee has decided to visit four more States, with their consent.

Fifthly, resolution 1624 (2005), adopted during the September summit, calls upon States to report to the CTC on implementation of this resolution. The Committee was directed to include Member States' efforts to implement 1624 (2005) in its dialogue with those States. To launch this dialogue, the Committee has decided that its letters to States on implementation of resolution 1373 (2001) will also contain questions on resolution 1624 (2005). I encourage States to provide the Committee with detailed information about their efforts in this regard to enable the Committee to report back to the Council on their implementation.

Before I conclude, I should like to stress that the CTC puts great emphasis on its responsibility to provide policy guidance to the CTED. The Committee will continue its discussions about how to provide transparent guidance on implementation of resolution 1373 (2001) through the development of best practices. Also, the Committee will discuss how a human rights perspective might be appropriately incorporated into the Committee's policy and substantive work while, at the same time, respecting the various aspects of its Security Council mandate.

In this connection, I should mention that before the end of the year, the CTC will take steps to provide for the Council's comprehensive review of the CTED, in line with resolution 1535 (2004).

The CTC remains a crucial instrument in the international community's fight against terrorism. Developments during the last three months have again proven that its task remains vital and urgent. The support from and cooperation with Member States remains invaluable. On behalf of the CTC, I should like to thank Member States and again encourage them to look on the fully staffed CTED as an opportunity to obtain the guidance and assistance they need in their efforts to fulfil the provisions of resolution 1373 (2001).

The President: I shall now give a briefing in my capacity as Chairman of the Security Council Committee established pursuant to resolution 1540 (2004).

I have the honour to brief the Security Council on the activities of the 1540 Committee since 21 July this year and to introduce the Committee's third programme of work, for the period 1 October through the end of 2005.

The main task of the Committee for the last three months has been the examination of national reports submitted by States. I am very pleased to announce that this objective, which is an important part of monitoring States' efforts to implement resolution 1540 (2004), has been carried out successfully.

Since June 2005, the Committee, with the valuable support of its group of experts, has examined 124 national reports. On the basis of this process and with a view to better understanding the measures undertaken or planned by States to implement resolution 1540 (2004), the Committee decided to solicit additional information and/or clarification in areas covered by their first reports. As a result, letters have been forwarded to the submitting States through

their Missions in New York, together with the individual matrices used for processing the first reports. The Committee has requested States to address the information gaps identified in their reports and to inform the Committee accordingly within two months from the date of the letter. We stand ready to develop a constructive and transparent dialogue with all States in addressing the issue of additional information.

The Committee will continue to examine further first reports that are received from States, as well as additional information being provided in response to the letters. In that regard, I would like to inform the Council that 21 States have already provided additional information with respect to their first reports. All of this data will be processed accordingly by the Committee.

In order to broaden its knowledge about States' efforts to implement resolution 1540 (2004), the Committee decided to build a legislative database that will be used as a supplementary information tool for the further examination of the reports. This database will contain links to relevant public sources of information about States' national legislative and other regulatory measures. The final product of the work under way will be shared with the reporting States at a later stage.

Turning to the question of reporting and outreach, on previous occasions I stated that by April 2006, the Committee would have to provide necessary information to enable the Security Council to assess the progress States have made in implementing the resolution and to decide what should be done subsequently.

The Committee can properly fulfil its remaining mandate only if all States submit their reports on time, as the Council has called upon them to do. Given the provision of sufficient information, the Committee can present to the Security Council a report on what has been achieved so far by States in implementing the provisions of resolution 1540 (2004), and on which implementation gaps need to be further addressed.

As of today, 67 Member States have yet to report. I would like to call again on those that have not yet done so to submit their first reports without further delay. Reporting is the best tool to allow the Committee to account for States' implementation efforts and to promote assistance for those which encounter reporting or implementation difficulties.

All States should be aware that, unless they meet their obligations in full, such as by enacting and enforcing effective national legal and regulatory measures, their territories may be used for the transit shipping of weapons of mass destruction (WMDs) and related materials, or for the financing of illegal activities or as a safe haven to broker the sale of WMD-related materials in other countries. However, we recognize that fully implementing the resolution will be a long-term undertaking that will require additional dialogue and coordination.

The Committee has continued to raise the issue of further reporting and has promoted the implementation of resolution 1540 (2004) through outreach activities. On 8 September 2005, together with the Chairpersons of the Counter-Terrorism Committee (CTC) and the Al-Qaida and Taliban Sanctions Committee, I had the opportunity to address the second World Conference of Speakers of Parliaments. This was the first occasion to reach out to leaders of national legislatures to inform them of our achievements as well as of the challenges ahead, and, more important, to seek their support in the implementation of resolution 1540 (2004) through the incorporation of its provisions into national legislation.

I would like to express my gratitude to Argentina and the United Kingdom for contributing to the organization of the first regional seminar, entitled "Advancing in the implementation of Security Council resolution 1540 (2004)", for countries of Latin America and the Caribbean. The interactive format of the discussions that took place in Buenos Aires from 26 to 28 September has contributed to a better comprehension of the objectives of resolution 1540 (2004) as well as of the steps to be pursued by States in the implementation process.

The Committee also had the opportunity to promote its outreach programme in Africa and Eurasia and was represented by its experts at the Uganda workshop on the global bargain for biosecurity and health and at the Seventh International Conference on Export Controls, held in Sweden. We will continue to approach all countries that have yet to report. I have expressed my readiness to reach out again to members of all regional groups in New York. We have already met Member States from Latin America and the Caribbean. Informal interaction with other regional groups will follow soon.

The Committee, with the support of Member States and the United Nations Department for Disarmament Affairs and its regional centres, will continue its outreach activities. Seminars and workshops aimed at raising the awareness of the proliferation problem worldwide, facilitating further reporting and advancing the implementation process, are useful tools for our work. In this context, I would like to welcome the statement made by China in the First Committee of the General Assembly on 10 October indicating that China is giving positive consideration to hosting a regional seminar on issues related to resolution 1540 (2004) and is discussing this matter with relevant United Nations bodies.

The issues of improving reporting performance and late submission are considered in a coordinated manner by the three Committees. We are making use of country visits by the CTC and the 1267 Committee in order to raise the issue of reporting.

On the subject of assistance, in considering first national reports, the Committee has identified offers of and requests for assistance. Information on offers of assistance is available on the website of the 1540 Committee and includes, in some instances, areas in which a specific country has indicated that it is able to provide assistance, as well as initial contact information. The Committee will seek to expand this information, as appropriate. The Committee will continue to act as a clearing house on the issue of assistance. In further examining the first reports and additional information from States, the Committee will keep up-to-date information on the issue of assistance in order to contribute to the implementation of resolution 1540 (2004). In order to effectively perform its role as a clearing house on assistance, the Committee will continue to request States, as appropriate, to designate contact points on assistance.

As I mentioned before, full implementation of resolution 1540 (2004) by all States is a long-term objective that goes beyond the current mandate of the Committee. It will require continuous efforts at the national, regional and international levels on capacity-building and assistance, as well as monitoring and measuring progress made by States in implementing the resolution.

I am confident that the Security Council will consider how best to ensure that the work of the Committee makes an enduring contribution to non-proliferation.

As the process of examining national reports continues, the Committee will interact and cooperate, as appropriate, with the relevant international, regional and subregional organizations in order to facilitate the implementation of resolution 1540 (2004). Working relationships with those organizations are being developed, as appropriate.

In the same vein, the 1540 Committee will maintain close cooperation with the CTC and the Al-Qaida and Taliban Sanctions Committee, as envisaged in resolution 1566 (2004) and in statements by the President of the Security Council of 25 April 2005 (S/PRST/2005/16) and 20 July 2005 (S/PRST/2005/34). The Committee's experts will work closely with the experts of the other Committees, making every effort to maximize synergies between and among the experts of the Committees.

Transparency will remain a priority of our work. The Chairman and the Vice-Chairmen will reach out on a regular basis to Member States. This will include work with the United Nations media, including through joint briefings with the Chairpersons of the CTC and the Committee on Al-Qaida and Taliban sanctions. The Committee will keep updating its dedicated website as an additional source of information on issues related to resolution 1540 (2004). A separate entry on assistance was added to the website. The Committee will also continue its practice of informing organizations outside the United Nations about our work through attendance at international, regional and subregional meetings and conferences. I will make full use of these opportunities to address, in particular, the issues of further reporting and implementation.

On behalf of the Committee, I look forward to the cooperation of all States as the Committee carries its work forward in the months ahead.

I now resume my functions as President of the Security Council.

In accordance with the understanding reached among Council members, I wish to remind all speakers to limit their statements to no more than five minutes in order to enable the Council to carry out its work expeditiously. Delegations with lengthy statements are kindly requested to circulate the texts in writing and to

deliver a condensed version when speaking in the Chamber.

Mr. Vassilakis (Greece): At the outset, I would like to associate myself with the statement to be made later in the debate by the Permanent Representative of the United Kingdom on behalf of the European Union.

The recent terrorist attacks in Bali have shown once more that terrorism knows no boundaries and constitutes one of the most serious global threats to peace, freedom and human dignity. Acts of terrorism are under no circumstances justifiable on any grounds, be they political, religious or philosophical. Those who commit such horrific acts must be brought to justice.

The international community must once more show its resolve and determination to collectively fight this scourge. Appropriate action, at the national and international levels, is an obligation for all Member States, pursuant to resolutions 1267 (1999), 1373 (2001), 1540 (2004) and related resolutions.

We would like to express our thanks to the Chairman of the Al-Qaida and Taliban sanctions Committee, Ambassador César Mayoral, for briefing us today on the recent activities of the Committee. The addition of 11 new individuals and one entity to the Consolidated List is a welcome development. Listing of individuals and groups has an important political and psychological impact and can function as a deterrent to the commission of terrorist acts. However, there is a growing international concern about existing listing and delisting procedures and the lack of due process requirements. We believe that the Security Council should address those concerns as soon as possible, if sanctions are to be a credible and effective tool in the fight against terrorism.

In that connection, during our open debates many Member States have repeatedly proposed the establishment of a review mechanism that would allow access by individuals requesting delisting. That would be an adequate response to such concerns. The probable need to revise the existing guidelines was foreseen by resolution 1617 (2005). Indeed, revision of the guidelines so as to develop more precise and detailed provisions regarding delisting procedures, based on due process requirements and humanitarian exemptions, should be a high priority for the Committee, since that can considerably enhance the sanctions regime.

We would like to extend our many thanks and our appreciation to the Chairman of the Counter-Terrorism Committee (CTC), Ambassador Ellen Margrethe Løj. She gave us useful insight into the Committee's activities over the past three months, as well as updating us on its programme of work for the upcoming 90-day period.

We are pleased that the Counter-Terrorism Executive Directorate (CTED) is now fully operational. It will contribute to the better provision of assistance and guidance to States so as more effectively to implement resolution 1373 (2001). We would like to thank the head of the CTED, Ambassador Javier Rupérez, and his team, for their ongoing efforts to support the CTC.

We note with interest that the Committee has enhanced its cooperation and dialogue with some regional organizations, which may help them to build their capacity to combat terrorism. We also welcome the Committee's efforts to eliminate the backlog of reports from States concerning their implementation of resolution 1373 (2001). Likewise, we commend the efforts of the Committee to explore ways to strengthen the facilitation of technical assistance to States, with a view to better implementing the provisions of the resolution.

We are pleased to hear today that the CTC has taken steps to ensure follow-up to resolution 1624 (2005), regarding incitement to commit terrorist acts, which was adopted in September 2005 at the Security Council summit meeting. The resolution requires States to report to the CTC, as part of their ongoing dialogue, on the steps they have taken to implement the resolution. We would like to stress, however, that, in implementing the resolution, States must ensure that they comply with their obligations under international law, refugee law, and international humanitarian law.

Finally, we fully support the decision of the Committee to engage in a policy discussion on how to incorporate a human rights perspective into its work. In that regard, we warmly welcome the appointment of a human rights expert to the CTED. We believe that the close cooperation of the expert with the Commission on Human Rights and the recently appointed Special Rapporteur on human rights and terrorism will help States to implement counter-terrorism measures in conformity with human rights law.

We must thank you, Sir, in your other capacity, as the Chairman of the Security Council Committee established pursuant to resolution 1540 (2004), for your briefing on recent activities and future work. We are pleased to learn that the Committee has completed the examination of all the first reports that were submitted by 1 October. We believe that the examination of State reports is an essential part of efforts to implement resolution 1540 (2004) and reinforce the global counter-proliferation regime. We encourage States that have not yet done so to submit their reports to the Committee so that it may assess implementation of resolution 1540 (2004) and consider further measures.

We note with interest the steps taken by the Committee to facilitate the provision of technical assistance to States to implement the resolution. We support the Committee's ongoing efforts to establish closer interaction and cooperation with relevant international, regional and subregional organizations, with the aim of reinforcing implementation of resolution 1540 (2004).

Lastly, we fully support an increased cooperation and coordination between the three Committees — the 1267, 1373 and 1540 Committees. We believe that those Committees should continue to function in a transparent and open way, particularly through the holding of joint briefings and by providing information on a regular basis to Member States on their respective activities.

Mr. Sardenberg (Brazil): The delegation of Brazil is grateful to Ambassador César Mayoral, Ellen Løj and Mihnea Motoc for their valuable briefings on the activities of the Committees they chair.

Concerning the Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities, my delegation finds that the period since our previous joint public meeting has been very productive. Among other activities, the Committee has been working successfully on cooperation with Interpol and has been considering the recommendations of the third report of the Analytical Support and Sanctions Monitoring Team (S/2005/572), which contains valuable contributions on how to further many aspects of the Committee's work. The Chairman has undertaken a second trip to selected countries to improve dialogue with Member States.

Some urgent tasks remain before us, however. In our view the most important among them is the revision of the draft guidelines of the 1267 Committee, as mandated by resolution 1617 (2005). Work on the guidelines is urgently needed in order to update them and better adapt them to the new needs of our task. Special attention should be paid to the issues of listing, delisting and associated procedures. Present mechanisms for both listing and delisting leave significant room for improvement in transparency, effectiveness and fairness. The Monitoring Team has formulated some noteworthy suggestions to that effect in its proposed revisions to Committee guidelines. We hope to be able to start working soon on those suggestions, as well as on other ideas.

As regards the Counter-Terrorism Committee (CTC) and taking into account that this is the first public meeting on terrorism since the Counter-Terrorism Committee Executive Directorate (CTED) has become fully operational, I would like to make a few comments on important issues currently under discussion that are likely to influence the work of that body in years to come.

First and foremost, our delegation believes that from now on the CTED will be in a better position to carry out its ambitious programme of work under the policy guidance of the plenary of the CTC.

In our view, CTED's primary role is to identify States' technical assistance needs and facilitate the provision of that assistance. Unfortunately, many Member States still lack the institutions and qualified personnel necessary to deal with the terrorist threat. Therefore, we emphasize that providing assistance to States in areas related to institution-building and training is one of the best ways to counter terrorism and also a very efficient way to persuade Member States, which may be under the false impression that international terrorism poses only a remote threat to their countries, to be more involved in this issue.

Brazil strongly encourages States that might benefit from such assistance to request it. We also stress the need for the United Nations to reach mutual agreement on the potential technical needs of States through increased dialogue and to handle with utmost care any sensitive information that may expose State's vulnerabilities to terrorism.

In accordance with resolution 1535 (2004), Brazil hopes that visits to States with their consent will

provide the CTC with a more thorough understanding of the situation in those countries, including further insight into the difficulties States may face in implementing resolution 1373 (2001). It is also essential that a proper follow-up mechanism to those visits be put in place, so as to ensure that technical assistance and other needs identified during the visits are duly taken into account. We believe that the CTED's work will contribute to the identification of possible best practices in various areas related to the implementation of resolution 1373 (2001), such as those involving the financing of terrorism. We recall that best practices are, by definition, non-binding instruments that should be in conformity with existing international law.

Another important issue on the CTC's agenda is the incorporation of the human rights perspective while countering terrorism — that is, the idea that all United Nations bodies should always act in conformity with international human rights law. Despite the fact that the CTED's mandate does not include a monitoring role in that field, it is important that its work actually contribute to strengthening the observance of human rights standards. We believe that General Assembly resolution 59/191, entitled "Protection of human rights and fundamental freedoms while countering terrorism", which was adopted by consensus, should be a primary reference for the CTED's work in that area. While respecting the Committee's own mandate, the CTED is expected to liaise with the Office of the United Nations High Commissioner for Human Rights and with the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, and with other human rights organs in matters related to counter-terrorism. Furthermore, we expect to engage in a fruitful Security Council discussion in December, involving a comprehensive review of the CTED's work, as mandated by resolution 1535 (2004).

As regards the Security Council Committee established pursuant to resolution 1540 (2004), my delegation is pleased to note that, with the valuable support of the group of experts, the Committee has been able to conclude the examination of the first round of national reports submitted by Member States. That is a most welcome achievement. At the same time, we continue to encourage those States that have not yet done so to present their first reports as soon as possible.

In the coming weeks, the Committee will begin to devote itself to considering the responses to requests it has made for additional information. That exercise, we believe, will allow the Committee to have a full and comprehensive picture of the state of worldwide implementation of resolution 1540 (2004). It will also serve as the basis for the final report to be submitted by the Committee to the Council by April 2006. It seems appropriate to mention that that reporting exercise has also proved to be very positive for Brazil at the domestic level, as it has stimulated Brazilian authorities to proceed with a broad assessment of our legal system and to identify redundant provisions with a view to facilitating the modernization of the national legal framework.

Concerning technical assistance, I wish to stress that the Brazilian Government is ready to provide assistance, as appropriate, to States in the Latin American and Caribbean region and to other developing countries possibly lacking the legal or regulatory infrastructure and implementation experience required to implement the provisions of resolution 1540 (2004).

Finally, I should recall that for Brazil, the very existence of weapons of mass destruction, either in the hands of non-State actors or in the possession of States themselves, is a matter of grave concern. Our Government continues to call for complete, verifiable and irreversible disarmament.

This is probably the last opportunity in 2005 for a regular briefing from the Security Council Committees regarding terrorism. We are all aware of the urgency of dealing forcefully and decisively with the menace of international terrorism. Yet we must not let a heightened sense of vulnerability — given that terrorism can now threaten anyone, anywhere — lead us to forgo fundamental principles and rights. Our delegation will continue to cooperate constructively on this issue, which has considerable impact on the type of society we want to build in the years to come.

Sir Emyr Jones Parry (United Kingdom): I have the honour also to speak on behalf of the European Union (EU) and those countries that have aligned themselves with this statement.

I should like to start by thanking the three Committee Chairmen for their comprehensive briefings.

Once again, recent events have shown us that the threat of terrorist attack is ever present. It seems that every time we gather for a meeting of this type, we must face the harsh reality of recent terrorist action. The European Union extends its deepest condolences to the people and the Government of Indonesia and to the victims in Bali. The terrible events that they and others around the world have suffered have served only to renew our determination to fight this battle and to maximize our efforts to counter this global menace.

The European Union welcomes the steps that the United Nations is taking in that direction. In particular, we strongly support the measures outlined in the summit outcome document (*General Assembly resolution 60/1*) and in Security Council resolution 1624 (2005). We fully expect and look forward to the conclusion of a comprehensive convention on international terrorism during the present session of the General Assembly.

We are also highly appreciative of the appointment of the new Commission on Human Rights Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism. The European Union firmly believes that any strategy to counter terrorism must of necessity be coupled with a concern for the rights and freedoms of individuals.

The European Union welcomes the adoption of the new Al-Qaida and Taliban sanctions resolution — resolution 1617 (2005) — in particular the clarification it provides on the definition of association with Al-Qaida, and its encouragement of Member States to endorse the internationally recognized Financial Action Task Force standards. We hope that, following that endorsement, the Counter-Terrorism Committee (CTC) now intends to adopt the standards as an example of best practice for States.

We are also pleased to note that resolution 1617 (2005) tasks the Committee with furthering work on its guidelines, including on procedures for delisting and providing humanitarian exemptions. The European Union strongly favours the creation of clearer and more detailed guidance on those issues, and we urge the Committee to begin its work in that area as soon as possible.

The European Union also welcomes the adoption of resolution 1624 (2005) and looks forward to the Counter-Terrorism Committee's working to ensure that States are doing all that they can to implement the resolution. We are pleased that the Counter-Terrorism Executive Directorate (CTED) is now at full strength, and we are glad to note that the resulting increase in CTC and CTED capacity has led to the production of a full and forward-looking programme of work.

In particular, the European Union places great emphasis on the importance of the coordination and facilitation of technical assistance, and we keenly anticipate the expansion of the CTED's role in those areas. We look forward to its increased engagement with international, regional and subregional organizations and with the donors in order to produce tangible results. The EU has participated in CTED visits to countries with which it has a close relationship, and it looks forward to doing so again.

The European Union welcomes the ongoing work of the Security Council Committee established pursuant to resolution 1540 (2004). We are pleased to learn that the Committee has now completed its examination of the first reports submitted by States. We welcome the beginning of more work on technical assistance for States to implement the resolution, and the EU stands ready to play its part. Our member States are working hard to identify key areas of implementation to address, from both national and international perspectives, and we would be glad to consider any requests for assistance or advice to such States as might be required.

The European Union supports increased coordination and cooperation among the three Committees and their experts. Issues such as information-sharing, visits and technical assistance are relevant to the Council's work overall, and the work of the Committees should reinforce one another as much as possible in those areas. As a regional organization, the European Union welcomes the adoption of Security Council resolution 1631 (2005) and stands ready to work with the Council to take forward close cooperation in the area of counter-terrorism.

Implementing our regional strategy to counter terrorist financing remains a high priority for the European Union. Notable achievements include progress towards adopting and implementing new regulatory measures to tackle terrorist financing and regulate wire transfers, alternative remittance systems and cash couriers. We continue to work towards an EU code of conduct for regulating the charitable sector by

improving financial information exchange and investigation, as well as by improving asset-freezing measures at both the EU and national level. We are also working on a programme of assistance to priority third countries and are actively considering to which other countries the EU could usefully contribute. We are in the process of drafting a Europe-wide strategy on recruitment and radicalization, and as always stand ready to play our part in the global response to terrorism.

Mr. Idohou (Benin) (*spoke in French*): We would like to thank the Ambassador of Denmark, the Ambassador of Argentina and the Ambassador of Romania for their briefings to the Council on the activities of the Committees that they chair. It is clear that the fight against terrorism remains a high priority for the international community. Acts of terrorism are crimes against humanity, especially when they target innocent civilians. They constitute a grave violation of the basic values of today's world, in particular human dignity. Terrorism's poisonous effect is further intensifying the divisions among civilizations and religions. In that regard, terrorism constitutes a grave threat to international peace and security.

The fight against terrorism can be effective only if we aim at preventing terrorist activities through appropriate policies aimed at strengthening States' national legislations through effective structures that seek to enhance cooperation, both bilaterally and multilaterally, through information exchange and assistance to countries that need it in order to bring their capacities up to the level of other countries.

We welcome the progress achieved by the three Committees in guiding such cooperation, which should be further intensified by concerted efforts on the part of States, national and regional organizations and civil society. In that connection, we are happy to see the reduction in the delays in the submission of national reports and in the analysis of those reports. Over and above the reports, efforts should be further directed towards the effective implementation of the measures that States are obligated to introduce into their own domestic legislation, as stipulated by the Council.

The efforts on the part of the three Committee Chairmen to raise the awareness of parliamentarians during the consultations held in New York in the context United Nations reform efforts was a step in the right direction, because action by national parliaments will be decisive in the implementation of appropriate legislation and in the creation of an operational framework to monitor terrorist movements, to cut off their sources of finance and to prevent them from gaining access to weapons.

That issue is of particular relevance in the light of the need to prevent non-State actors from acquiring weapons of mass destruction. The success of that effort will depend essentially on the adoption of national legislation and regulations — and their effective implementation — aimed at accounting for and managing, on a daily basis, the production and circulation of dual-use substances.

That is a matter of concern for all countries. We call on all States that have not yet presented their first national reports to do so and to indicate the degree of assistance that they need in order to update their national mechanisms for combating the proliferation of weapons of mass destruction.

The Committee established pursuant to resolution 1540 (2004), like the two other Committees, has begun a direct dialogue with Member States as part of the consideration of its report. That dialogue will also enable them to become acquainted with and gain an understanding of the internal workings of the Committees and the mechanisms set up to monitor the various sanctions regimes directed against terrorist movements.

The holding of such a dialogue will help to eliminate any doubts and ambiguities that might otherwise lead to reluctance on the part of certain States. Visits to States by the Chairmen of the Committees are a valuable instrument for maintaining such dialogues.

We welcome the considerable efforts made by the Counter-Terrorism Executive Directorate to move its work forward. At the same time, the Committees must continue to improve their working methods on the basis of clearly defined and well-known principles. The initiatives undertaken in that area are to be welcomed. We invite the Committees to spare no effort to make their activities as transparent as possible. We express full support for the CTC work programme for the last quarter of 2005.

Furthermore, in the context of the implementation of counter-terrorism measures, the need to protect the international community's achievements in terms of

human rights and fundamental freedoms cannot be overemphasized. The appointment of Mr. Martin Scheinin as Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism is clear proof of the commitment of the Secretary-General in that regard.

In order to mobilize all States in the fight against terrorism, we must also pay further attention to the difficulties faced by some countries resulting from the application of counter-terrorism sanctions. We need to consider to what extent a State whose economy or social fabric has suffered a result of sanctions against Al-Qaida and the Taliban and other associated individuals and entities should benefit from fair compensation. We should establish mechanisms to that end.

In conclusion, my delegation would like to emphasize the need for the international community to resolve conflicts throughout the world and tackle inequality, injustice and poverty, which provide a fertile breeding ground for the development of violence and extremism. Terrorism will be eliminated only if we make constant efforts and take concrete actions to promote peace and sustainable development to make our world better for all through a dialogue of cultures and an alliance of civilizations.

Mr. De La Sablière (France) (*spoke in French*): The Council has shown that it is capable of responding firmly to terrorist acts aimed at destabilizing States and jeopardizing international peace and security. It has done so by unequivocally condemning such acts, as well as by demanding that those responsible and their supporters be tracked down and brought to justice.

Furthermore, for some years now the Council has been committed to patient work aimed at strengthening the capacity of all the members of international community to combat terrorism. Indeed, that is the raison d'être of the three Committees that have just submitted their reports.

The Council is making an invaluable contribution to the international struggle to combat terrorism, which is now an important item on its agenda. In the months to come, as we consider the Secretary-General's strategy in this area, we must ensure that the Council's place in that common effort is fully recognized. The adoption by the General Assembly of a universal definition of terrorism would provide a solid foundation for that strategy.

In the meantime, we must regularly assess the progress achieved. In the near future, the Council will be focusing on the comprehensive examination of the Counter-Terrorism Executive Directorate provided for in resolution 1535 (2004). Although the Directorate now has all the human resources that it needs, we must commit ourselves to undertaking a genuine debate on action in support the Committee so that we can determine its priorities.

Under the chairmanship of Ambassador Løj, the Committee established pursuant to resolution 1373 (2001) has caught up, to a significant extent, with its backlog in considering State reports. We are also pleased that it now includes the implementation of resolution 1624 (2005) on incitement to terrorism in its discussions with States. We now hope that it will be able to devote more time and resources to visits on site.

The visits that have already taken place have enabled us to make a much better assessment of the efforts of States to implement their obligations pursuant to resolution 1373 (2001) than would have been possible working from written reports alone. Those visits have also enabled us better to determine what assistance States may need in future. We therefore hope to see an increase in CTC visits.

The Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities is also making considerable efforts to improve its working methods.

We welcome the adoption of resolution 1617 (2005), which has provided useful clarifications. The resolution calls on the Committee to review its guidelines in order to enhance its effectiveness. We believe that such a review is necessary. It is particularly important to enhance transparency in the context of the Committee's procedures for listing and delisting and in those relating to humanitarian exemptions. Such transparency, which justice demands, will improve Member States' understanding of the work of the Committee and therefore contribute to enhancing their cooperation.

The visits made by the Committee and the group of experts to Member States represent an important part of their work. It is important that such visits focus on States requiring the greatest assistance for the full implementation of the sanctions determined by the Council.

I wish to devote particular attention to the Security Council Committee established pursuant to resolution 1540 (2004) at a time when, under your chairmanship, Sir, it is presenting an assessment that France believes to be very positive. This battle was not easily won, but now the Committee is working quickly, and the group of experts has carried out an exceptional in-depth analysis of the national reports.

We believe that the position of States vis-à-vis resolution 1540 (2004) is shifting, as seen at the recent seminar organized by Argentina in Buenos Aires. Many States had felt that, by resolution 1540 (2004), the Security Council was legislating in their place, but they now seem to better understand the objectives of the resolution and are passing laws to ensure compliance with its provisions.

France is convinced that the threat of weapons of mass destruction, their means of delivery or related materials falling into the wrong hands poses a very serious threat for all States. We draw attention to that problem in all forums in which we participate — in the G-8, the European Union, the International Atomic Energy Agency (IAEA), and today in the General Assembly, to which we have submitted a draft resolution on radiological terrorism that we hope will be adopted by consensus.

The renewal of the 1540 Committee's mandate will have to be discussed a few months hence. Today we wish to say that the Committee is very useful. It is now gaining a full understanding of the control systems for sensitive installations and materials worldwide — an understanding that really has no equivalent in disarmament forums. We should use that understanding to better direct our own efforts. Of course, we can continue to request reports, but it might be more effective to make better use of the existing database in order to identify priorities; match up requests for and offers of assistance; and identify intelligent responses to resolution 1540 (2004) of which note could be taken, such as the information we have culled from reading the reports submitted by India and South Africa.

As I said earlier, to be effective, the fight against proliferation requires that all States shoulder their responsibilities in the area and recognize the benefits they can derive. I believe that the Committee can provide assistance in that respect by identifying regions, requirements, partnerships and models and drawing conclusions in order to make concrete progress.

The establishment of zones free of weapons of mass destruction has played a major role in the elaboration of the regional security policies of the countries of the South, and the establishment of nuclear-weapon-free zones could in future also strengthen international security. Resolution 1540 (2004), which encourages cooperation among States, provides an opportunity in that direction.

Mr. Wang Guangya (China) (*spoke in Chinese*): The Chinese delegation wishes to thank Ambassadors Mayoral, Løj and Motoc for their respective briefings on the work of the three Committees and on their work programme for the next stage. We note with satisfaction that, since the last meeting at which briefings were made, the three Committees have made progress in their work.

The Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities has conducted a preliminary review of the third report of the Monitoring Team, and the Team made another round of visits to the countries concerned.

The Counter-Terrorism Executive Directorate (CTED) is now fully operational, with all its staff on board, and has further improved the efficiency and quality of its work.

The Security Council Committee established pursuant to resolution 1540 (2004) has further strengthened its cooperation with international organizations.

I should like to take this opportunity to commend the three chairpersons for their work. I should like also to make the following comments on the focus of the work of the three Committees in the next phase.

The 1267 Committee should step up its efforts to conclude the revision of its guidelines and enhance its sanctions measures and working procedures.

The CTC should focus on providing comprehensive policy guidance to the CTED and step up its efforts to carry out the new tasks set out by resolution 1624 (2005).

The 1540 Committee should continue to urge those Member States that have not yet submitted their

reports to do so as soon as possible. China is actively considering hosting a regional seminar on issues relating to resolution 1540 (2004) and would welcome the participation and support of interested countries.

I wish to stress once again that the three Committees and their expert groups should maintain and enhance their synergy and coordination and further develop a complementary relationship.

The resolute fight against terrorism in all its forms and manifestations continues to present a major challenge to the international community. Acts of violence such as the bombings in Bali, Indonesia, and the terrorist attack in Nalchik, Russia, have sounded yet another serious warning that terrorists continue to run rampant and to blatantly challenge us.

We express out deepest condolences to the families of the victims of such attacks. The Security Council, as the organ bearing primary responsibility for the maintenance of international peace and security, must intensify its efforts to take concrete measures to assist Member States in eliminating that scourge.

We warmly welcome resolution 1624 (2005) condemning the incitement of terrorist acts, adopted by the Council summit meeting held on 14 September 2005. That resolution testifies once again to the determination of the members of the Security Council to strengthen international cooperation to combat terrorism.

As set out in the summit outcome document and in Security Council resolution 1624 (2005), terrorism, in all its forms and manifestations, irrespective of its motivation, whenever and by whomsoever committed, poses serious threats to international and regional peace and security and should be condemned in the strongest terms.

The eastern Turkistan terrorists have been rampantly carrying out activities in Xinjiang, China, committing numerous crimes and colluding with other international terrorist organizations such as Al-Qaida and the Taliban. Thus, they not only pose a terrorist threat to China but also seriously jeopardize peace and stability in the region.

It must be pointed out in particular that the Eastern Turkistan Liberation Organization is one of the terrorist organizations listed by China. Recently, the organization openly declared, through an online video blog, that it will take up armed struggle against China by all possible means. A hyperlink to that video blog remains on the website of the East Turkistan Information Centre, which is another terrorist organization listed by the Chinese Government.

That flagrant incitement to terrorism shows once again that the Eastern Turkistan Liberation Organization and other East Turkistan groups are extremely violent terrorist organizations. As the eastern Turkistan groups are flagrantly threatening terrorist violence, China urges all countries, especially those countries where eastern Turkistan terrorists are found and are active, to be more vigilant and strictly fulfil their obligations under Security Council resolution 1624 (2005) by taking the necessary measures against the East Turkistan Liberation Organization and its members and other East Turkistan terrorists, firmly suppressing their terrorist activities and bringing the perpetrators to justice.

I wish to reiterate that, in accordance with the purposes and the principles of the United Nations Charter and the relevant Council resolutions, China will continue to enhance its cooperation with the international community and spare no effort to combat terrorism in all its forms and manifestations, in order to make its contribution to world peace and security.

Mr. Baja (Philippines): Once more, we welcome the opportunity of a joint briefing by the Chairmen of the three Security Council Committees on counter-terrorism. I congratulate Ambassador Løj, Ambassador Mayoral and Ambassador Motoc and commend the respective teams of independent experts assisting their Committees in the implementation of their mandates. As Chairman of the Working Group established pursuant to resolution 1566 (2004), and in working towards the Group's objectives, I draw considerably on the experience of the three Committees.

Continuing terrorist attacks worldwide are grim reminders of the need for the international community to remain vigilant and further enhance the global efforts against terrorism. The unanimous adoption of Security Council resolution 1624 (2005) by our heads of State or Government at last month's Security Council summit meeting is testament to the strong collective commitment of our Governments to counter terrorism.

The increasing cooperation and information-sharing among the three Committees at the formal, informal and expert levels have proven to be very

useful and effective. Their increased interaction and cooperation with relevant international and regional organizations further benefit global counter-terrorism efforts. The synergy resulting from such interaction and cooperation will maximize the results of global counter-terrorism efforts and, at the same time, streamline efforts by avoiding duplication. Thus, my delegation wishes to encourage the ongoing efforts by the three Committees to that end.

The Secretary-General has identified elements of a counter-terrorism strategy to promote a comprehensive, coordinated and consistent response to counter-terrorism at the national, regional and international levels. Coordinated and cooperative fulfilment of their mandates by the three committees will greatly contribute to the achievement of a comprehensive international counter-terrorism strategy. And we look forward to the conclusion this year of a comprehensive convention on international terrorism.

My delegation endorses the new activities being undertaken by the Al-Qaida and Taliban Sanctions Committee under the leadership of Ambassador Mayoral to improve implementation of the sanctions measures mandated by resolution 1617 (2005). We welcome the increased cooperation with Interpol and encourage the Committee to benefit from the work of relevant specialized agencies and international organizations such as the International Civil Aviation Organization, the Financial Action Task Force on Money Laundering and the United Nations Office on Drugs and Crime. We look forward to continuing enhanced cooperation with regional organizations, particularly in the Asian region.

We fully support the Chairman's visits to Member States, particularly where there are concerns about capacity and the need for technical assistance. We believe that the visits by the Chair provide the political impetus for those countries to address the difficulties they face in the implementation of the sanctions measures and to identify their needs for assistance. Since the 1267 Committee has no mandate to directly handle technical assistance needs of States in the implementation of the sanctions regime, cooperation with the Counter-Terrorism Committee (CTC) and the 1540 Committee is vital and should be further strengthened.

Now that the Counter-Terrorism Committee Executive Directorate (CTED) is fully staffed and operational, the Counter-Terrorism Committee, led by Ambassador Løj, will now have a fully functional CTED to support the Committee's activities, especially the full examination of Member States' responses to the letters of the CTC Chairman. We expect a more vigorous identification of areas for technical assistance so that actual assistance can be rendered by the appropriate countries and institutions.

We welcome the appointment of the CTED's human rights expert. In our view, that will enable the CTC — as well as the other counter-terrorism Committees, given the enhanced cooperation among the three Committees — to better fulfil its additional function, mandated under resolution 1624 (2005), of monitoring that States' efforts against terrorism are in accordance with international human rights and humanitarian standards.

We also welcome the CTC's efforts to pursue contacts and coordination with regional and subregional organizations. This month's thematic debate of the Security Council, chaired by Romania's Foreign Minister, demonstrated that regional organizations are an invaluable resource in the global fight against terrorism, as a source of both best practices and technical assistance.

My delegation congratulates the 1540 Committee, under the stewardship of Ambassador Motoc, for completing the examination of the 121 first national reports submitted so far by Member States. We wish to commend the invaluable contribution of the Committee's team of independent experts in the examination of the reports.

We consider the Committee's outreach activities to be vital to implementation of resolution 1540 (2004), as they provide information on how States can implement obligations under that resolution. We also encourage remaining States that have not yet submitted their first national reports to participate in the Committee's outreach activities for useful guidance on how to complete their reports. As Ambassador Motoc indicated, while the reports are not an end in themselves, they are the best tool the Committee has to assess the status of States' implementation of resolution 1540 (2004) and to identify capacity gaps. That information is the basis for sharing experiences and expertise among countries in order to increase worldwide capacity to prevent weapons of mass destruction from being used for terrorism purposes.

The holding of regional seminars to support the implementation process is a useful outreach activity. In that regard, the successful regional seminar for the Latin American and Caribbean region, held in Buenos Aires, has shown the value of such regional sharing of experiences in the implementation of the resolution and the preparation of national reports. My delegation supports China's plan to host a similar seminar in the Asian region, as its delegation announced in the General Assembly's First Committee. All those initiatives contribute to the global efforts to combat terrorism.

Mr. Kitaoka (Japan): At the outset, I would like to welcome the three Chairs and express my appreciation for their briefings.

Since our last public meeting on 20 July (S/PV.5229), we have had no respite from acts of terror, which have been committed one after another, in Egypt, Iraq, Turkey, Sri Lanka and Bali, Indonesia. My delegation would like to express its sincere condolences to the victims and their families and its hopes for early recovery for those who suffered injuries in those attacks. Terrorism must never be condoned, and my Government strongly condemns terrorism in all its forms and manifestations.

In adopting the 2005 World Summit Outcome *(General Assembly resolution 60/1)*, Member States debated for long hours over the counter-terrorism measures to be pursued by the United Nations. Although those negotiations were difficult, they are now being followed up by negotiations on the draft Comprehensive Convention on International Terrorism in hopes of reaching an agreement. We believe it is essential that the Security Council also continue to develop an effective counter-terrorism policy by deepening the cooperation among the counter-terrorism-related committees.

There are three points I would like to focus on today that may help to ensure further effectiveness in the work of the three Committees.

First, as I emphasized on the occasion of the last briefings, there can be no question about the importance of establishing counter-terrorism prevention measures. From that perspective, it is worth mentioning that Council resolution 1617 (2005), adopted on 29 July, strongly urges all Member States to implement the Financial Action Task Force's (FATF) Forty Recommendations on Money Laundering and the FATF Nine Special Recommendations on Terrorist Financing. On the basis of resolution 1617 (2005), we also have seen progress in cooperation between Interpol and the Al-Qaida and Taliban Sanctions Committee, with the General Assembly of Interpol recently approving this matter. We expect that information accumulated by Interpol can thus be further utilized in order to prevent terrorist activities. In addition, resolution 1617 (2005) encourages further improvement in the Consolidated List of the Sanctions Committee. It is therefore vital to ensure that the List be utilized effectively within each Member State. We also find it of great significance that Council resolution 1624 (2005), aiming at the prevention of incitement to terrorist acts — an area not covered previously — was adopted by the leaders at the Security Council summit last month.

Secondly, in order to build the counter-terrorism capacity of Member States, it is crucial to accelerate the efforts to strengthen the role of the Counter-Terrorism Committee (CTC). We need to devise ways to facilitate the provision of technical assistance requested by Member States through the CTC to build their counter-terrorism capacity. At present, with the assessment of the Counter-Terrorism Committee Executive Directorate (CTED), the CTC is working to identify the technical assistance needs of Member States, and we expect that the information on those needs will be relayed to the donor community in a systematic manner so as to ensure that technical assistance is actually provided to the States requiring it.

Specifically, we believe assistance could be provided more efficiently if the CTC, with its information-gathering and analytical capacity, could provide additional information on what kinds of assistance donors should focus on in those cases in which donor States and organizations are currently identifying needs through individual efforts. Japan would like the CTC to devise ways and means to make the CTC analysis clearer to the donor community so that coordination between donors and recipients can be closer and thus strengthen the implementation of resolution 1373 (2001) by Member States. In this connection, establishing a structure for closer contact with the Counter-Terrorism Action Group and international, regional and sub-regional organizations would be an effective step. We also expect that during the visits to States, contacts with regional organizations

and others in addition to the Governments will be enhanced.

Thirdly, in the Security Council Committee established pursuant to resolution 1540 (2004), the examination of national reports is in the final stage, and we welcome the fact that second reports are being submitted by some Member States. It is our view that from this point forward the Committee should focus more on the issue of technical assistance. The mandate of the Committee is expected to expire at the end of April next year, but many tasks still remain to be accomplished by the Committee. It is critical that we have an efficient work programme, bearing in mind the limited time remaining.

We need to enrich the activities of the three Committees, and from that standpoint, in addition to the experts working for the 1540 Committee, we welcome that the experts and new members of both the Monitoring Team of the Al-Qaida and Taliban Sanctions Committee and the CTED are now operating in full force, and we look forward to their active role.

My Government will continue to extend its full cooperation for the work of the three Committees so that the Security Council will be able to further strengthen its activities in the fight against terrorism.

Mr. Mahiga (United Republic of Tanzania): I thank you, Mr. President, for convening this meeting to hear joint briefings on the activities of the Al-Qaida and Taliban Sanctions Committee, the Counter-Terrorism Committee and the 1540 Committee. We commend the three Committees for providing us with updates every three months in a coordinated manner. This approach enables us to keep pace with the changing nature of the threat of terrorism while promoting transparency in the work of the Security Council.

As stated earlier by the Chairman of the Al-Qaida and Taliban Committee, Ambassador César Mayoral, the Security Council adopted a new resolution — 1617 (2005) — in which the due process concerns of Member States have been addressed. In our view, the Council has introduced very pertinent elements in the resolution, such as the checklist, which to a great extent will assist Member States in the preparations of their reports to the Committee.

It was gratifying to receive the Chairman's report on his recent visit to Nigeria and Chad — two strategically significant States in the subregion of West Africa. Contacts with Member States are crucial for the Committee to understand the operational field constraints in the implementation of resolutions by States, rather than perceiving and interpreting delays as reporting fatigue.

We recognize the commendable work by the Chairperson of the Counter-Terrorism Committee, Madam Ellen Margrethe Løj, during the past three months. We thank her for her leadership in facilitating the full staffing of the Counter-Terrorism Committee Executive Directorate (CTED). This will enhance the Committee's capacity to review and respond expeditiously to reports received from Member States.

With the adoption of resolution 1624 (2005), the Security Council has placed additional responsibilities on the Committee. Some Member States are still struggling to fulfil their obligations under resolution 1373 (2001). It is nonetheless an important undertaking that should be implemented with appropriate assistance for those States requiring such assistance. In view of that, the ongoing efforts by the Committee and CTED to facilitate the provision of technical assistance to Member States should be stepped up and augmented through increased cooperation with international, regional and subregional organizations.

Mr. President, I wish to commend your chairmanship of the 1540 Committee and your report, which touched on the Committee's task of examining national reports and the steps taken to address the problem of proliferation of weapons of mass destruction to non-State actors. Tanzania commends the Committee's achievements during the past three months, particularly in successfully implementing the examination of first reports submitted by Member States; we hope that the remaining 67 Member States will submit their reports in due course.

Tanzania attaches great importance to the activities of the Committee and finds merit in its outreach efforts, including encouraging Member States, both individually and through regional seminars, to prepare and submit their reports on time.

Tanzania also commends the Committee for facilitating extensive cooperation with international organizations that are ready to offer relevant technical assistance to Member States. We wish to congratulate Argentina and the United Kingdom for organizing the first regional outreach seminar for countries of Latin

America, and we look forward to a seminar of a similar nature next year in China for Asian countries.

Before I conclude, let me make one general remark. Persistent terrorist attacks worldwide and the changing nature of terrorist threats make it imperative for the three Committees to increase cooperation among themselves in information-sharing and dialogue with Member States, in particular concerning late submission or non-submission of reports and implementation of all Security Council resolutions.

It is also important to situate our coordinated counter-terrorism strategies in the wider context of our respective national, regional and overall international efforts to combat terrorism, led by the Security Council. The seminal Madrid statement made by the Secretary-General last year on combating international terrorism is, and should be, a useful reference in this endeavour.

Mr. Rogachev (Russian Federation) (*spoke in Russian*): May I express our gratitude to you, Mr. President, for organizing today's meeting. I also sincerely thank Ambassador Mayoral, Ambassador Løj and you, Ambassador Motoc, for your comprehensive briefings on the activities of their respective Committees, whose work is part of our campaign against terrorism. This is the third Security Council meeting in this format. We support this approach, which is in keeping with enhancing coordination and cooperation among subsidiary bodies of the Council and enabling the Council to more effectively carry out its tasks in the key sphere of counter-terrorism.

The 2005 General Assembly summit once again reaffirmed that the international community is counting on the United Nations to formulate a reliable system to counter terrorism, including preventive measures against that global threat. This was reflected in the active participation of Member States in the event marking the opening for signature of the new International Convention for the Suppression of Acts of Nuclear Terrorism, which was an initiative of the Russian Federation.

Another important step in that context was the Security Council's adoption of resolution 1624 (2005), which, for the first time, contains provisions pertaining to the criminalization of the incitement of terrorism and the enhancement of dialogue among civilizations and religions in the context of ensuring international security.

We welcomed the painstaking work towards agreeing upon the counter-terrorism provisions of the 2005 summit Outcome Document, although we were not able to achieve unanimity during the discussion that took place. However, the debate helped to narrow the gap between the positions of States on key aspects of counter-terrorism activities and strengthened mutual understanding with respect to finding solutions to the problems remaining on the United Nations counter-terrorism agenda.

We hope that States will heed and support the 2005 summit appeal that they do their utmost to coordinate and agree upon a comprehensive convention on international terrorism during the sixtieth session of the General Assembly. The overall positive momentum achieved in recent months concerning counter-terrorism gives us hope that that task will be completed successfully.

The Russian Federation advocates building on the activities agreed upon by the Security Council in all key areas of the struggle against terrorism and strengthening its capacity through the relevant subsidiary bodies.

Concerning the Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities, we shall continue to pay close attention to its activities, bearing in mind the massive threat to peace and security posed by the terrorist network of Al-Qaida, the Taliban and their accomplices. In that connection, we support the efforts of the 1267 Committee to intensify dialogue with Member States and international organizations with a view to strengthening the sanctions regime, consistent with the provisions of resolution 1617 (2005).

We welcome the Committee's efforts to improve the Consolidated List and adapt it to existing conditions. We also acknowledge the effective work of the Analytical Support and Sanctions Monitoring Team, which has been acting in ever-closer contact with the expert groups of the other Committees.

In connection with the work of the Counter-Terrorism Committee (CTC), we note with special satisfaction the completion of the organization and staffing of the Counter-Terrorism Committee Executive Directorate (CTED), which enables us to intensify the activities of the Committee in all the basic areas of its mandate.

We welcome the goal set in CTC's programme of work to address the issue of States late in submitting their reports, and to ensure the expert review of reports. We support the effort to further develop the practice of conducting visits to Member States, including through dialogue between the CTC and States on the outcome of these field missions. The Russian Federation supports the Committee's consistent efforts to intensify cooperation with regional organizations, first and foremost in facilitating assistance to States in complying with their obligations stemming from the implementation of resolution 1373 (2001), and in order to strengthen the counter-terrorism capacity of those organizations. That should be an important element of the overall coordinated strategy of enhancing the Committee's cooperation with international, regional and subregional organizations. Today, as the CTED begins addressing the full range of its tasks, we see new opportunities for developing such a dialogue. In that connection, we agree that preparations for a new coordinated regional meeting of the CTC should be undertaken.

We would especially like to point out the importance of the work begun by the CTC, in accordance with the provisions of resolution 1624 (2005), to combat incitement to terrorism. We believe that the Committee, as part of the tasks set out in that resolution, must use all its capacity, means and resources in working with States — including letters, visits, contacts with international and regional organizations — to erect the obstacles necessary to stem the spread of the ideology of terrorism. In that connection, we must take into account not just the letter, but also the spirit of resolution 1624 (2005).

The Russian Federation shares the positive evaluation of the momentum of the work of the Security Council Committee established pursuant to resolution 1540 (2004). We believe that the major task now is to conclude the careful analysis of national reports and responses to additional questions of the Committee, to process the data received and to identify the weak links in the national systems of measures, in order to prevent the spread of weapons of mass destruction, and in that connection, develop the procedures needed to provide relevant assistance to those who may need it.

We are convinced that the implementation of resolution 1540 (2004) should not just be a one-time action, or be reduced to a mere exercise in accountability. The main task is to use that Security Council decision to enhance the effectiveness of the process of improving the non-proliferation efforts of Member States, including in connection with the fight against terrorism. This work will require significant time and effort. Bearing in mind the scope of the tasks pertaining to the implementation of resolution 1540 (2004) and the limited time remaining before that Committee's mandate ends, we believe that resolving the issue of whether to extend the Committee's powers for two years beyond April 2006 is a pressing matter.

We could have taken a decision on the matter in the Security Council before the end of the current period of the Committee's work.

Ms. Willson (United States): Our thanks go to you, Mr. President and to the other Committee Chairs for your reports this morning, as well as for your tireless efforts in leading the work of the Committees reporting today.

The United States is pleased that all three Committees are considering critical issues, including such issues as improving reporting performance. Our counter-terrorism efforts in the Committees will succeed only by maximizing joint accomplishment of shared goals and minimizing duplication, a point that has been underscored by other speakers in this debate this morning.

The experts that advise the three Committees have an important role to play in coordinating efforts, and we urge them to cooperate more closely as well. As you stressed in your own report as Committee Chairman, Mr. President, reporting is an important aspect of counter-terrorism efforts. We note that many States have not yet fulfilled their obligation under resolutions 1267 (1999), 1373 (2001) and 1540 (2004) to make such reports, and we urge them to do so without delay. The objectives of those resolutions can only be achieved with the full and transparent participation all Member States.

The United States notes with satisfaction that the Counter-Terrorism Committee Executive Directorate (CTED) is fully operational and we expect it to help the Counter-Terrorism Committee (CTC) significantly to improve its performance. The CTC's emphasis on working with regional organizations is important. Such organizations can play a role in helping States to implement the provisions of resolution 1373 (2001). In the area of technical assistance, the CTC must

complement the efforts of international and other organizations, as well as donor States, and the CTC should continue to work to develop best practices in the areas covered by the resolution. Among other things, the CTC should endorse the work of the Financial Action Task Force (FATF) in the field of terrorist financing.

We are also pleased that the CTC expects to eliminate the backlog of States' reports by the end of the year. Reporting must not become a self-perpetuating exercise and we hope that the CTC will examine carefully how to use effectively the information gleaned from States' reports.

Concerning the 1267 Committee, the United States notes that resolution 1617 (2005) greatly assists us in the fight against Al-Qaida, the Taliban and Osama Ben-Laden, by defining the term "associated with," and thus further clarifying who is subject to the sanctions. With the clarifications to resolution 1617 (2005), the Committee should continue to urge Member States to submit names for listing. We are encouraged by the Committee's proactive and comprehensive dialogue with Member States, and we hope that this engagement will lead to better sanctions implementation. Another step towards that end is the Committee's work with relevant specialized agencies and international organizations such as the International Civil Aviation Organization and Interpol. We applaud those outreach efforts. The United States strongly supports the call in resolution 1617 (2005) to Member States to implement the Financial Action Task Force recommendations on money-laundering and the nine special recommendations on terrorist financing.

With regard to the work of the 1540 Committee, we are pleased that the Committee and its group of experts have completed review of 121 national reports. This is an important first step in monitoring Member States' implementation of resolution 1540 (2004). However, we are concerned that nearly 70 Member States have yet to report to the Committee, and we reiterate our call to those States to submit their reports as soon as possible.

The 1540 Committee has a key role to play in educating Member States about effective and efficient ways to implement the resolution, and the United States stands ready to work with the Committee, potential donors and interested recipients to address, on a bilateral basis, States' needs for technical assistance in implementing the provisions of resolution 1540 (2004). The United States looks forward to upcoming discussions on the possible renewal of the 1540 Committee's mandate.

Mr. Baali (Algeria) (*spoke in French*): It has become a tradition for Ambassadors Mayoral, Loj and Motoc to address the Security Council at the same meeting in order to inform it of the activities and the efforts they are making as the heads of their respective committees. I should like to thank them and congratulate them upon their excellent briefings. I would agree with Ambassador Mayoral that resolution 1617 (2005) has provided some clarity, especially regarding the idea "associated with Al-Qaida and the Taliban", and the recognition of the role to be played by the International Civil Aviation Organization and Interpol in the implementation of sanctions, particularly with regard to travel documents.

We welcome this resolution, which has renewed the mandate of the Monitoring Team. This is acknowledgement of its efforts and of the professionalism of the members of the Team. We congratulate Mr. Richard Barrett and the Monitoring Team, as well as the members of the Secretariat, for the assistance they have been providing the Committee. We also welcome the fact that the Committee has considered in depth the third report submitted by the Monitoring Team and that it has approved certain of the recommendations within its mandate. We encourage the Committee and the Monitoring Team to continue to use visits to verify the implementation of sanctions, thus meeting the concerns of States in this regard and strengthening dialogue with Member States at the political level. The recent visit of the Chairman of the Committee to certain African countries was productive, and we encourage him to continue the follow-up to such visits, especially regarding strengthening the capacity of developing countries and African countries.

We support the future activities of the Committee, especially the need for an intensive dialogue with Member States and for close cooperation among the Committees involved in the campaign against terrorism.

My delegation supports the seventeenth work programme of the Counter-Terrorism Committee (CTC) and also welcomes the fact that its Executive Directorate (CTED) has now become operational. We

are convinced that this achievement will greatly benefit Member States. The fact that the Directorate has become operational has already been reflected in a speeding-up of the processing of reports submitted by Member States.

Regarding visits, I note with satisfaction that the appeal I made a few months ago is beginning to be heeded. Thus, CTED will soon visit three member States of the Security Council, including Algeria. I should like to see other members of the Council volunteer to host visits of CTED, especially in light of resolution 1624 (2005) on incitement to terrorism. The CTC was mandated to ensure follow-up on the implementation of that resolution.

We agree with the views of Ambassador Løj on the priority areas of CTC activity, be it the involvement of regional organizations in the fight against terrorism, action-oriented and result-oriented dialogue with potential donors, visits to countries for their agreement or the implementation of resolution 1624 (2005).

Finally, I would like to state once again that my country condemns all acts of terrorism, and we would like to thank Ambassador Javier Rupérez and the members of the Executive Directorate, as well as members of the Secretariat, for their valuable assistance in the work of the Committee.

Regarding the 1540 Committee, I would like to thank you, Sir, as Chairman of that Committee, for the excellent report and, through you, commend the Committee and the group of experts for the praiseworthy efforts they have been making. Since the adoption of resolution 1540 (2004) in April 2004, the international community has made important progress in coping with the threat inherent in the acquisition of weapons of mass destruction by non-State actors. This progress is shown in the substantial number of national reports submitted by Member States pursuant to obligations mandated under paragraph 4 of resolution 1540 (2004), which is undeniably a collective response aimed at protecting us against the proliferation of such weapons.

In this connection, my delegation welcomes the fact that 124 States have submitted their national report, or even two reports, often in difficult conditions because of time constraints imposed by the provisions of the resolution and the diversity and complexity of the topics with which it deals. We should bear those limitations in mind when we consider the delay shown by a certain number of States, especially in Africa, in the drafting of their national reports.

In this regard, the 1540 Committee should set aside a substantial portion of its work programme to considering the possibility of lending assistance to States that might request it. With this in view, we believe that States should find their difficulties significantly alleviated through the direct contact that the Committee intends to carry out with them, as well as in the holding of regional and similar meetings. In that connection, we would like to commend the recent holding of two seminars, one in Argentina and one in Uganda.

The President: In order to optimize the use of our time, I will not invite speakers individually to take their seats at the table and invite them to resume their seats at the side. When a speaker takes the floor, the Conference Officer will seat the next speaker on the list at the table.

I also wish to repeat my earlier call for oral interventions to be kept within the five-minute limit.

I thank you in advance for your understanding and cooperation.

The next speaker inscribed on my list is the representative of Samoa, to whom I give the floor.

Mr. Elisaia (Samoa): I have the honour to address the Security Council on behalf of the Pacific Islands Forum member States with Permanent Missions in New York — namely, Australia, the Federated States of Micronesia, Fiji, the Republic of the Marshall Islands, Nauru, Papua New Guinea, Palau, New Zealand, Solomon Islands, Tonga, Tuvalu, Vanuatu and my own country, Samoa.

I would like, at the outset, to express our unequivocal condemnation of the recent terrorist bombings in Bali and convey our condolences and sincere sympathy to the Government of Indonesia and the families and friends of all those killed or injured in the attacks.

The Bali bombings present a further stark reminder that international terrorism remains a fundamental threat to the safety and stability of the international community, a threat that must be overcome by a collective international response.

I would like to take the opportunity to thank the Ambassadors of Argentina, Denmark and you, Mr.

President, for the briefings today. We welcome the fact that the Committees have chosen to coordinate their briefings and hope this trend will continue.

Pacific leaders made a commitment to meet international counter-terrorism obligations in their Nasonini Declaration of 2002, and our region remains fully committed to the international campaign against terrorism.

Our members are working together with regional organizations and donors on a range of initiatives to enhance our individual and joint counter-terrorism capabilities and to strengthen our trade, transport and border security infrastructures against possible attack or exploitation by terrorist groups. We have made some encouraging progress.

That said, it is important that we remind Council members of some of the challenges the Pacific region faces in complying with the multitude of new requirements that have been introduced by the Security Council, particularly since 11 September 2001.

First, I would like to emphasize that the majority of Pacific Islands Forum group members are small island developing States with limited resources and many pressing priorities. Fulfilling counter-terrorism commitments results in the diversion of scarce financial and other resources that would otherwise be used for development and challenges, such as poverty eradication efforts and the fight against HIV/AIDS, among other things.

A further challenge has been the sheer volume of new international counter-terrorism and non-proliferation standards introduced since 9/11. Keeping informed of new standards is difficult enough. It is even more difficult for many of us to meet often onerous reporting requirements. More often than not, new standards are introduced with very little consultation or opportunities for us to provide input. As a result, they seldom reflect, or make allowances for, the challenges many of us face in implementing them. To be frank, this is a source of frustration for many Pacific Island Forum countries.

Our Governments are strongly of the view that it is important that Pacific Island Forum member countries should be able to engage at the senior level on international counter-terrorism standards and the standard-setting process with the bodies that set and administer those standards. This message was clearly conveyed once again at a Pacific Forum-wide Working Group on Counter-Terrorism held this past June. In particular, the obligations established by Security Council resolution 1373 (2001) are proving to be a considerable challenge to our region.

To this end, the Pacific Islands Forum member countries have extended an invitation to the Chair of the Counter-Terrorism Committee (CTC) to attend next year's meeting of our Working Group on Counter-Terrorism. This Working Group represents the one occasion annually that senior officials from all Pacific Islands Forum member and observer countries, as well as the relevant regional organizations, come together specifically to discuss international counter-terrorism issues. As such, acceptance of the invitation to next year's Working Group Meeting would provide an excellent and timely opportunity for Pacific Island officials to engage directly with the CTC Chair to discuss the region's security challenges and its role in international counter-terrorism efforts, including meeting the obligations of Security Council resolution 1373 (2001). We also hope that experts from the Counter-Terrorism Committee Executive Directorate and the 1267 and 1540 Committee expert groups could attend. We strongly encourage the CTC Chair to give positive consideration to this invitation.

On the specific challenge of reporting obligations under the three resolutions, I would like to note that, in the past, we have suggested that a collective Pacific regional report to each Committee, submitted by the Pacific Islands Forum secretariat, would alleviate some of the pressures faced by member countries in meeting the reporting requirements. While we understand the importance of dialogue between the Security Council and individual Member States, we would urge the Council to be constructive in its approach and to establish a two-way dialogue with us to work out a practical and sustainable solution to this challenge. Countries of our region are doing what we can to meet reporting requirements. For example, a number of Forum member countries have accepted New Zealand's offer to work with individual Pacific Island Governments to assist them in preparing outstanding Security Council reports.

In closing, I would like to take this opportunity to underscore once again that the Pacific Islands Forum group remains fully committed to the collective fight against international terrorism. In that regard, the work of all three Committees is critically important, and we

look forward to deepening our relationship with the Security Council on these issues over the coming months.

The President: I now give the floor to the representative of Switzerland.

Mr. Maurer (Switzerland) (*spoke in French*): Switzerland is grateful for this opportunity to address the Council. We have distributed a complete text of our statement and I shall limit my remarks to an abbreviated version.

Switzerland welcomes the counter-terrorism measures set out in the outcome document adopted at the 2005 world summit on 16 September 2005 (General Assembly resolution 60/1). Those measures stem from an awareness that the effectiveness of the Security Council counter-terrorism sanctions regime would be affected if the legality of measures enacted by the Council were contested before national or international courts. In my country, the legality of those measures was recently the subject of a parliamentary question addressed to the Federal Council. Similar steps are being taken in the rest of Europe and elsewhere in the world.

It is in the light of those developments that we are weighing the accounts presented here today. They complement the analyses and recommendations set out in the third report of the Analytical Support and Sanctions Monitoring Team (S/2005/572), as well as the provisions of resolution 1617 (2005), adopted by the Security Council on 29 July 2005. My delegation would just like to make a few additional observations.

Resolution 1617 (2005) contains important provisions to facilitate the indispensable collaboration of States with the sanctions Committees, and thus to ensure the effectiveness of the fight against terrorism while respecting fundamental human rights. Switzerland particularly welcomes the provisions which enable the list established in accordance with resolutions 1267 (1999) and 1333 (2000) to be a functional tool and to provide a solid working basis for the fair application of sanctions.

The requirement that States proposing to add a name to the Consolidated List must henceforth provide a statement of their case describing the basis of the proposal is a step in the right direction. Such documents could be used by the Committee to reply to the questions of Member States whose nationals, residents or entities have been entered on the Consolidated List.

However, we would like to point out that the Monitoring Team recommended that an additional step be taken towards the greater transparency which is desirable. Diligent action by States with regard to the parties concerned is possible only if their investigative services or police have been duly informed of the nature of the illicit activities that justify the inclusion of those parties on the Consolidated List.

Paragraph 5 of resolution 1617 (2005) — which requests States to inform individuals and entities included in the Consolidated List of the measures imposed on them, the Committee's guidelines and the provisions of the applicable resolutions — is a further step in the right direction. As the Monitoring Team mentioned in its report, not only is the provision of such information essential from a legal standpoint, but it is also more conducive to the effective implementation of the sanctions regime.

Switzerland, together with other States — in particular, Germany and Sweden — is actively involved in promoting the drafting and implementation of more satisfactory provisions for listing and delisting. The aim of this initiative is to improve the effectiveness of counter-terrorism sanctions.

I assure members that Switzerland is prepared to continue the dialogue with the Security Council and its subsidiary organs on measures to strengthen the fight against terrorism within the framework of effective sanctions regimes that respect basic human rights.

The Chairman: I appreciate the heed paid by the representative of Switzerland to the call for brevity.

I now call on the representative of India.

Mr. Sen (India): As this is the first statement I am making in the Security Council this month, I wish to take this opportunity to warmly felicitate you, Mr. President, on your dedicated and talented stewardship of the Council. I would also like to sincerely congratulate you and the members of your team on your effective guidance of the work of the Council. Let me also thank the Chairmen of the three Security Council Committees established pursuant, respectively, to resolutions 1267 (1999), 1373 (2001) and 1540 (2004).

Earlier this month, terrorists struck for a second time in Bali, Indonesia, exacting a terrible toll on innocent civilians. The victims were unconnected with any ideology, policy or programme directed against terrorists, but nonetheless fell to those very forces. Our thoughts go out to them and to their families. Such incidents reinforce awareness of the absolute necessity for countries to work together to root out the scourge of terrorism. India is determined to continue to effectively contribute to that effort.

Terrorism has become a global phenomenon to which no country or society can remain totally immune or indifferent. The Prime Minister of India recently stated that

> "The end of the cold war, increasing global interdependence and the trans-border nature of many threats have made strategic concepts developed in a bipolar world somewhat irrelevant. ...
>
> "While the international community has made some progress in evolving a rule-based order for managing the economic and commercial dimensions of globalization, the absence of an effective, rule-based order is acutely felt in addressing contemporary security threats, such as terrorism and the proliferation of weapons of mass destruction."

The United Nations is uniquely placed to provide the multilateral platform necessary for real global cooperation and coordination in our common fight against terrorism and the proliferation of weapons of mass destruction. For the same reason, the actions of the Security Council, alone — no matter how effective — cannot provide a sufficient response to the global security threats we face today.

The 2005 World Summit Outcome (General Assembly resolution 60/1) contained a clear and unqualified condemnation by all Governments of terrorism. Inter alia, it reiterated its call to States to refrain from organizing, financing, encouraging, providing training for or otherwise supporting terrorist activities and to take appropriate measures to ensure that their territories are not used for such activities. It also stressed the need to make every effort to reach an agreement on and conclude a comprehensive convention on international terrorism during the sixtieth session of the General Assembly.

India initiated a draft comprehensive convention on international terrorism at the fifty-first General Assembly session. We believe that draft supplements the 13 sectoral conventions on terrorism and provides a comprehensive legal framework upon which States can base their cooperation for extradition and mutual judicial assistance in connection with terrorist crimes. However, it has thus far been almost a decade in the making. Every effort has been made to narrow the existing differences and to address the issue of reconciling the legal regime under the draft convention with international humanitarian law. In situations where international humanitarian law applies, it is important that the legal balance not be altered. In the current climate, with increasing acts of terrorism, we believe that all States should work expeditiously towards the adoption of the draft convention early in the sixtieth session, as proposed by the President of the General Assembly. We remain convinced that such a convention would also greatly facilitate the work of the Security Council in the area of counter-terrorism.

The people of India have faced the scourge of cross-border terrorism for well over two decades. We have suffered its consequences but have also, over time, accumulated the expertise and experience to deal with this menace through prevention, interdiction and deterrence. Our experience has addressed the unique forms and techniques utilized by terrorists in our region to attain their objectives. Unfortunately, we have also seen the increasing use of such methods in other parts of the world. These include the use of informal banking channels and the movement of people and arms, facilitated by the unholy nexus of drug and human traffickers and terrorists.

The relevant Indian departments and specialized agencies have developed considerable expertise in tackling such problems as terrorist financing, alternative currency transfer systems, money laundering and illegal arms trafficking. They have also acquired a sound knowledge of customs law, extradition law, immigration law, financial law, the drafting of legislation, and border patrol, police and law enforcement issues. We have bilaterally shared our experience, even with some permanent members of the Council, on tackling the ramifications of Hawala. We would be happy to share our expertise with countries that require capacity-building in such areas.

We note that the third report of the Analytical Support and Sanctions Monitoring Team established

pursuant to resolution 1526 (2004) (S/2005/572), issued last month, warned that with Al-Qaida's continuing evolution, the threat of significant attack remains real. It also acknowledged that the various sanctions against Al-Qaida and the Taliban have not achieved their full potential. It is clear that the Council will need to continually adapt its existing measures to match the ability of those organizations and of their associates to find a way around the efforts of the international community to tackle them. Containment measures have to keep abreast of methods that mutate.

We would also like to caution against any casual moves towards reconciliation with elements of the Taliban. We continue to maintain that individuals on the Taliban list must remain there with their assets frozen, unable to rejoin Afghan society. They must not be delisted unless they give up their former affiliations and are made accountable, through due process, for past actions against their countrymen.

The Security Council Committee established pursuant to resolution 1540 (2004) must continue its work to ensure the non-proliferation of weapons of mass destruction. Such an effort must remain equally vigilant against the proliferation of such weapons by both States and non-State actors. At the same time, it should act against both the recipients and the sources of proliferation. Nor can non-proliferation be selective. Turning a blind eye to supposed allies and targeting supposed adversaries can only undermine resolution 1540 (2004). Here, I would like to thank the Permanent Representative of France for his reference to India's report to the 1540 Committee.

In conclusion, the working group established under resolution 1566 (2004) has the unique opportunity to shape the future direction of the United Nations effort against terrorism. We wish to commend the Philippines for chairing the working group and for its contribution to the work of the Council. My delegation has made certain suggestions to the Chair of the working group on the implementation of resolution 1566 (2004). We are hopeful that the working group will expeditiously move forward and advance the cooperation on counter-terrorism identified in that resolution.

The President: I now give the floor to the representative of Cuba.

Mr. Requeijo Gual (Cuba) (*spoke in Spanish*): My delegation wishes to thank the Chairmen of the Committees established pursuant to resolutions 1267 (1999), 1373 (2001) and 1540 (2004) for the information that they provided us today.

However, as at similar public Security Council meetings held in April and July 2005, my delegation feels obliged to focus its statement on an issue of deep concern. While we are meeting here today to discuss effective measures to prevent and eliminate terrorism, the notorious international terrorist Luis Posada Carriles remains on United States territory without the Government of that country complying with its obligation to prosecute or extradite him for the horrendous crimes he has committed.

The Government that has unleashed wars in the name of the fight against terrorism is the same one that now, in blatant violation of its international obligations, protects and provides refuge to the Western Hemisphere's main terrorist, the perpetrator of the mid-air explosion of a Cuban airliner with 73 passengers on board, who is responsible for many other killings of Cuban citizens and citizens of other nations.

On 27 September 2005, a spokeswoman of the United States Bureau of Immigration and Customs Enforcement announced in El Paso, Texas, the swift decision of Judge William L. Abbott not to deport the terrorist Luis Posada Carriles to either Venezuela or Cuba, using the cynical and false argument that there was a danger of torture if he were to be detained in either country and resorting in a manipulative manner to the exemptions provided for in the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. Are not resolutions 1373 (2001) and 1566 (2004), adopted by the Council under Chapter VII of the Charter of the United Nations, applicable to the Government of the United States? How long will the Council tolerate the super-Power's double moral standard in the fight against terrorism?

On 9 August 2005, the three judges of the Court of Appeals for the Eleventh Judicial Circuit, in Atlanta, who were presiding over the case of five Cuban citizen anti-terrorist fighters — Gerardo Hernández, Ramón Labañino, Fernando González, René González and Antonio Guerrero — being held in United States prisons, announced their unanimous decision to revoke the sentences and to order a new trial. The court recognized their right to be tried fairly and impartially

in a non-hostile atmosphere, as provided for in the Constitution of the United States.

Despite the fact that there is now no conviction against those Cuban citizens, the Government of the United States holds them hostage in its prisons. Allowing confessed terrorists such as Posada Carriles to enjoy absolute impunity while subjecting the five Cuban anti-terrorist fighters to arbitrary imprisonment is an immoral act of great irresponsibility and an affront to all victims of terrorism and their families throughout the world.

As it has done in the past, my Government reiterates its request to the Security Council's Counter-Terrorism Committee to review the information presented by my country, inter alia in documents S/2002/15, S/2004/753 and S/2005/341, in the hope that its work can lead to an ending of the impunity enjoyed on United States territory by those who have carried out terrorist acts against Cuba.

Cuba reaffirms its principled position against all acts, methods and practices of terrorism in all its forms and manifestations, wherever, by whomsoever and against whomsoever they are committed, including those in which States are directly or indirectly involved.

The President: I call next on the representative of the Bolivarian Republic of Venezuela.

Mr. Toro Jiménez (Bolivarian Republic of Venezuela) (*spoke in Spanish*): On behalf of the Bolivarian Republic of Venezuela, we wish to express once again our categorical condemnation of all acts of terrorism, whatever their form or manifestation, whether committed by States or by non-State actors. We also want to make clear our position that the legitimate resistance of peoples against foreign invasion or occupation does not constitute an act of terrorism. That is recognized in the Charter of the United Nations.

In our resolve to fight terrorism, we have ratified many international conventions. At the domestic level, we have developed broad legislation to combat terrorism and have created a national authority in that area. Our Government is diligent, responsible and consistent in its approach to this matter.

We have also submitted, in a timely manner, reports to the Council's Counter-Terrorism Committee and to the Inter-American Committee Against Terrorism.

With the same conviction and consistency with which we are fighting that scourge, we condemn and reject the use of terrorism as a political tool to kill at close range and to intimidate weak, helpless, innocent victims in any part of the world, including through actions that are justified as collateral effects of a foreign invasion.

Equally condemnable are the lies, distortions, misinformation and manipulation promoted and disseminated on a daily basis by the national and international communications media that, working in the service of the dominant imperial Powers, conceal and alter information and prevent the general public from knowing the truth about those who are working collectively, in exercise of their right to self-determination, to build their future and to make possible a different world.

We recall once again that resolution 1624 (2005) states, in its fifteenth preambular paragraph, that

> "all States must cooperate fully in the fight against terrorism, in accordance with ... international law, in order to ... deny safe haven and bring to justice, on the basis of the principle of extradite or prosecute, any person who supports, facilitates, participates or attempts to participate in the financing, planning, preparation or commission of terrorist acts or provides safe havens".

Today, the Bolivarian Republic of Venezuela would like to set out two cases before the Council.

The first is the case of the Venezuelan terrorist Luis Clemente Posada Carriles, who is currently in the territory of the United States of America, apparently as a refugee. The Bolivarian Republic of Venezuela has already requested his extradition by the Government of the United States of America, on the basis of existing international agreements. Despite that request, to date there has been no response from the authorities of that Government. There has been only a long, compromising silence. Neither has Posada Carriles been tried in the United States.

In this regard, we recall documents S/2005/394 of 16 June and S/2005/624 of 3 October 2005, which set out our position in that respect. In our opinion, not only those who carry out terrorist acts, but also those

who protect such individuals, are terrorists. We cannot ignore the inconsistent attitude of the Government of the United States of America, which has often repeated those same words, yet offers protection to the terrorist Luis Clemente Posada Carriles. The double standard of the United States Government with regard to terrorism is clear. It applies its national anti-terrorist laws only when it is convenient, and the same is true of its international obligations.

The second case we would like to bring before the Council is also incomprehensible to anyone of good judgement. It relates to the Reverend Pat Robertson, who has high-level connections within the Republican Party and who, on United States television, publicly called for the assassination of our President, Hugo Rafael Chávez Frías. We can assure the Council that that constitutes a crime under United States law. Furthermore, that crime is an act of terrorism, according to existing international law, including the most recent Security Council doctrine as expressed in resolution 1624 (2005) of 14 September 2005. Against that backdrop, we do not understand how that terrorist can continue, with impunity, to make absurd, insane and disrespectful comments directed at the President of a democratic republic who has been confirmed in office on a number of occasions by the Venezuelan people in accordance with his constitutional mandate.

We reaffirm that it is inadmissible from the standpoint of international law to harbour those two terrorists. That would be to ignore resolution 1373 (2001), of 13 September 2001, subparagraphs (c) of paragraph 2 and (g) of paragraph 3 of which prevent States from providing refuge to those who carry out terrorist acts and ensure that political motivation is not recognized as grounds for refusing requests for the extradition of terrorists.

With regard to the second case, the Government of the Bolivarian Republic of Venezuela has already taken steps, in accordance with the extradition treaties in force between the United States of America and the Republic, with a view to extraditing Mr. Pat Robertson for the crimes committed, under the terms of the Venezuelan penal code and international law, against the President of the Republic. We hope that, once those steps have been completed and a formal extradition request has been made, the competent authorities of the Government of the United States of America will give due and diligent attention to the matter, in accordance with the treaty in force and with international practice.

The President: I now give the floor to the representative of Fiji.

Mr. Savua (Fiji): We join others in congratulating you, Sir, on your assumption of the presidency of the Security Council for this month. My delegation associates itself with the statement delivered by the Permanent Representative of Samoa on behalf of the Pacific Islands Forum.

The recent terrorist attacks in Madrid, London and Bali illustrate the ease with which terrorists move around, acquire weapons and equipment, form alliances and execute their missions. Human lives do not matter to them, rules and laws mean nothing and national borders are mere nuisances. They even believe that they will go to paradise for their beliefs and twisted sense of fair play. We, however, have to respect all laws, recognize all borders and ensure that our actions are not so draconian that they verge on the denial of individual human rights.

The perception by the public that our efforts are too little and come too late is, perhaps, correct, but it may never be appreciated how much has been achieved and how many terrorists' plans have been thwarted because of the vigilance of the security officers at our borders and of the thousands who work overtly or covertly in the war on terror.

Most of the successes are due to the commitment and willingness of States to cooperate with one another. The Security Council Counter-Terrorism Committee guides such cooperation on terrorism. However, while adherence to such guidance is not obligatory, it is the decisions of States to conform that have enabled some restraint to be imposed. There is room for improvement, particularly in areas of work identified by countries and regions. There are currently 13 anti-terrorism instruments and, although an omnibus convention is being drafted, we do not believe that it will lessen the number of obligatory returns and reports that we will have to prepare. In this regard, we fully endorse the proposal submitted by Samoa that our region invite a representative of the Counter-Terrorism Committee to attend the 2006 meeting of the South Pacific Working Group on Counter-Terrorism, and we request that a collective Pacific regional report to each Committee be submitted by the Pacific Islands Forum secretariat to alleviate the pressure faced by Forum member countries in meeting the individual reporting requirements and deadlines.

Sometimes the South Pacific region feels isolated because of the lack of attention it receives. While it may be true that because of our insularity we offer no worthwhile targets to terrorists, the hardening of major targets could make our countries' security arrangements soft by comparison. As we have mentioned regularly, while the tyranny of distance has an adverse effect on our trade and development, it is not a credible defence against terrorism. Indeed, the very 747 airliner that feeds our tourism industry is also the engine that takes away the security cushion of distance.

The importance of the exchange of information and intelligence in counter-terrorism strategies must be emphasized. However, unprocessed information and intelligence are not worth much and can prove very expensive. Every time a country responds to received intelligence, money has to be spent on the resulting mobilization. We also stand to lose the support of the people if we consistently cry wolf. We therefore appeal to nations with the ability to cast a wide net and to collect and collate intelligence to ensure that the raw data is diligently and properly analysed, and to spare a thought for those who may not have the funds to respond on an ongoing basis.

In conclusion, we would like to reiterate our support for the statement made by the representative of Samoa and to respectfully ask that it receive favourable consideration.

The President: The next speaker is the representative of Liechtenstein, to whom I give the floor.

Mr. Wenaweser (Liechtenstein): At the outset, I should like, on behalf of my Government, to express our condemnation of the suicide bombing that took place earlier today in Hadera, Israel. I should like also to take this opportunity to express our deep condolences to the representative of Israel as well as to the families of the victims of this horrific act of terrorism.

We appreciate the regular updates given by the Chairpersons of the Counter-Terrorism Committee, the Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities, and the Committee established pursuant to resolution 1540 (2004), who briefed us this morning. We appreciate also the opportunity to contribute to the discussion in the Council.

At the most recent open briefing, we referred to a request made by Liechtenstein to the Taliban and Al-Qaida sanctions Committee that the list of States having made notifications regarding humanitarian exemptions in accordance with resolution 1452 (2002) be made accessible to all Member States. That exemption regime is a very important feature of the sanctions mechanism which facilitates national implementation of sanctions measures in accordance with applicable constitutional and international human rights standards.

Since the Committee must be involved in every single case of humanitarian exemption under resolution 1452 (2002), the ability of States to apply that regime would greatly benefit from increased transparency in its handling by the Committee. We would thus find it desirable for the Security Council to grant interested States access to all Committee decisions on that matter in order to better understand the Committee's practice. This would help them to assess the chances of success of potential applications from listed persons or entities residing in their territories.

Far from full disclosure of Committee practice, however, we simply requested that the list of States whose notifications under the humanitarian exemption regime were received favourably by the Committee be made accessible to interested States. That would have enabled us to contact those States bilaterally and to discuss their experience with them directly. We noted with regret — and reference was also made to this fact by the Chairperson of the sanctions Committee this morning — that the Committee, after deliberating the topic for many weeks, decided not to make the list available, and also that no explanation was offered for that decision. We have sent a written reply to the Committee and understand that the letter will be circulated as an official document of the Security Council.

Since the last briefing, the third report of the Monitoring Team supporting the 1267 Committee has been released to States that are not members of the Council. We would like to thank Mr. Richard Barrett and his experts for their thorough analysis and recommendations, some of which have already been taken into account by the Council in resolution 1617 (2005). We appreciate the progress made in the

strengthening of the sanctions regime but remain concerned that the strengthening of procedural safeguards for individuals and entities affected by sanctions is not yet keeping pace. Both the Monitoring Team's report and the resolution point to the need to continue to work on improving listing and delisting procedures. That was also confirmed by the world summit, which mandated the Council to ensure that fair and clear procedures exist for placing individuals and entities on sanctions lists and for removing them, as well as for granting humanitarian exemptions. It is our understanding that the term "fair" entails ensuring that those affected by sanctions enjoy real rights and have access to appeals procedures which come close to standards of criminal justice. This is required by the severity of the sanctions measures, which include restrictions on freedom of movement and the quasi-permanent and uncapped freezing of funds.

Such procedural improvements have, furthermore, become more relevant since the Council, in its resolution 1617 (2005), adopted a broad understanding of the term "associated with" Al-Qaida, Usama bin Laden or the Taliban which does not require knowledge on the part of the person or entity concerned. We are confident that Council members will continue to work hard on these matters, and we stand ready to make our contribution.

Efforts to strengthen the sanctions regime and its procedures must be seen in the context of the bigger picture of global cooperation to fight terrorism. We must place equal emphasis on the different aspects of that endeavour, as reflected in the various elements of the Secretary-General's proposal for a global counter-terrorist strategy. We are confident that such a strategy will be helpful in promoting a holistic and coordinated approach to the fight against terrorism.

In that respect, we welcome in particular the initiative to streamline the work of the Security Council and its respective Committees and are encouraged by positive developments in the work undertaken in the General Assembly to conclude negotiations on a comprehensive convention on terrorism. We will continue to do our utmost to contribute to the success of those efforts.

The President: Before giving the floor to the representative of Israel, I wish to ask him to accept my deep condolences to the families of those killed in the Hadera explosion.

Mr. Gillerman (Israel): Mr. President, I wish to thank you very much for your condolences, which I know are heartfelt and sincere, as are, I know, the condolences expressed by my colleague from Liechtenstein.

Mr. President, allow me to thank you for your leadership of the Council during this rather busy month of October and for having convened this extremely important meeting.

The statement I had prepared for this meeting is before the Council. However, even as we speak, five Israelis lie dead and 33 others, badly wounded, are being rushed to the hospital after terrorists struck again, this time in the market of the city of Hadera in central Israel, in a suicide bombing by a 20-year-old Palestinian.

I will therefore — with your permission, Mr. President — forsake my statement and not read it out at this time of great grief and stark reality. Indeed, the bloody scene in Hadera, the body parts and the bloodstained streets speak far louder than any words or statement could. Indeed, anyone who expects Israel to re-embark on the road map must realize that so far, unfortunately, the road in Hadera is the real map — a map of blood, terror and pain.

Terror for Israel — as is the case, unfortunately, for so many others around this table — is not a technical matter. It is far too real, far too ominous, far too deadly and far too daily an occurrence. In fact, Israel has experienced more than 25,400 terrorist attacks in the past five years alone. I repeat: 25,400 terrorist attacks in five years. That exceptionally high number, however, reflects only attacks that have actually been carried out. The number of attempted attacks is exponentially greater. We cannot overlook the attacks that are attempted but which, for some reason, fail. Those that are carried out overwhelm the headlines by nature of their imagery and the sheer horror they represent, as witnessed today in Hadera. Nevertheless, for every terrorist attack carried out, there are nearly five attempted attacks. Just think of it: if we did not manage to thwart them, we would have not 25,400 but 125,000 terror attacks in five years. There is such a miniscule distance between those that are successful and those that, for a technical reason, fail. Life and death depend on the smallest of fractions: a second, an inch, a glance.

Responsibility for that heinous crime has been claimed by the Palestinian Islamic Jihad, whose headquarters, like those of a dozen other terror organizations, is in Damascus, Syria, and Syria is a country that has been harbouring, financing and initiating terror throughout the region and the world. We have not yet heard any condemnation from the Palestinian Authority. But even if we do, words are not enough. We expect deeds, not words, and resolute action against terror now.

Talking of words, the words of the President of Iran, voiced so loudly only yesterday, as he called for Israel to be wiped off the map, are being implemented in Hadera today with such grim immediacy. It is words like Iran's, terror-harbouring and terror-abetting like Syria's and inaction like that of the Palestinians that the Committees must address.

Terror is the first world war of the twenty-first century and, today more than ever, we must all mobilize our forces to fight that pandemic. We must do so to save not only lives but also the very foundations of our civilization.

The President: I now give the floor to the representative of Chile.

Mr. Muñoz (Chile) (*spoke in Spanish*): Just over a month ago, our heads of State or Government stated that one of the fundamental pillars of United Nations reform is security, specifically, terrorism, which is one of the most serious threats to international peace and security, as we saw this morning with the terrorist attack that took place in Israel and from the attack in Bali just a few weeks ago. Such events signal that we are facing a concrete, long-term threat.

Given the nature of that threat, no State can protect its national security on its own. Stopping terrorism requires international cooperation in the areas of security, intelligence, operations and justice. In other words, we must make resolute progress in the multilateral arena. In that context, the work of the Committees in combating terrorism is fundamental.

I once again express my gratitude for the initiative of jointly introducing the reports of the 1267 Committee, the 1373 Committee and the 1540 Committee. I am grateful for the valuable information on the efforts the Committees are conducting. These joint briefings are a positive sign of coordination and complementarity.

We believe that these open meetings of the Security Council contribute to a better understanding of the work of the Committees and create an atmosphere of greater participation, transparency and openness to the perspectives and comments of the broader United Nations membership. I should mention that on the issue of terrorism, there is still a gap that has to be bridged between the work carried out by Security Council on the one hand, and that of the General Assembly on the other. We therefore feel that promoting initiatives for greater dissemination, collaboration and State visits must contribute to a comprehensive strategy to combat terrorism.

As stated by our heads of State or Government in the 2005 World Summit Outcome (General Assembly resolution 60/1), the General Assembly should develop those elements and formulate a strategy to promote comprehensive, coordinated and consistent responses at all levels to counter terrorism, taking into account the conditions conducive to the spread of terrorism.

I would also like to highlight the Security Council's adoption of resolution 1624 (2005) in September, concerning the prevention of the incitement of terrorist acts. The adoption of that resolution sends a strong signal in the fight against terrorism.

I would like to refer briefly to the Al-Qaida and Taliban Sanctions Committee. First, I congratulate Ambassador Mayoral and his team on their outstanding work. We believe that one of the most important elements in recent months was the adoption of resolution 1617 (2005), which added new elements to the Committee's already demanding mandate and which extended the sanctions regime for a further 17 months. Paragraph 2 of the resolution specifies with greater clarity the criteria for deciding what constitutes association with Al-Qaida. We consider the checklist contained in annex II of the resolution, which States should use to report to the Committee by 1 March 2006, to be another highly valuable element that will improve the quality of the Consolidated List.

And I am pleased to note the tenth preambular paragraph of that resolution, concerning cooperation with Interpol — which I had the honour of initiating during my chairmanship. That cooperation will provide the Committee with better tools to fulfil its mandate, in particular through the use of the Interpol database of lost and stolen passports.

Visits to States by the Chairman and the Committee are a productive way to continue keeping abreast of the situation on the ground, increase dialogue, clarify doubts and establish ties of trust with States. I am pleased to see that at least four meetings have been held with Member States this year. The dialogue process can clearly be improved through the participation of a growing number of countries.

Similarly, we believe it important to appeal to States to recall international codes and norms to combat the financing of terrorism, in particular those of regional and institutional financial organizations such as the Financial Action Task Force on Money Laundering.

We consider it a positive step that individuals and entities have been added to the Consolidated List and that one individual has recently been removed from the List. Of course, we must take measures to increase the number of individuals and entities on the Consolidated List, but I must also affirm the need to improve the procedure of due process without diminishing that instrument's effectiveness.

I would also like to underline the excellent leadership of the Counter-Terrorism Committee (CTC) by Ambassador Ellen Margrethe Løj and note the efforts made to complete the Committee's revitalization process, in particular by making the Counter-Terrorism Committee Executive Directorate (CTED) fully operational. We also appreciate the work carried out by Ambassador Javier Rupérez in that regard.

The great amount of work accomplished by the Committee is clear to all, as is the valuable new methodology being used to identify and tackle the problems that States face in implementing resolution 1373 (2001), improve the capacities of those States and increase the number of States having acceded to and ratified international conventions. We believe that the work of the CTC in the area of technical assistance to States is also very important. I was often witness to that need for cooperation. This Committee has also been an example to be imitated by others in using and incorporating international, regional and subregional organizations, contributing in this way to a comprehensive understanding of the struggle against terrorism.

With regard to difficulties, referred to in some statements this morning, arising from a lack of compliance on the part of States, I believe it advisable to underscore the fact that we should have selective and targeted reports in order to ensure greater effectiveness and to avoid creating fatigue among States as a result of excessive demands for reports.

I wish to congratulate Ambassador Motoc for his active leadership of the Committee established pursuant to resolution 1540 (2004). We believe the Council's decision to make obligatory national controls to prevent the proliferation of weapons of mass destruction has been particularly important. This Committee has responded to the demands of its mandate. Its nature is complex and sensitive, because it is making progress in a rather new area, but we congratulate the Chairman on both the number of reports received and the exhaustive review carried out. We also believe the Committee's communications to States, including my own, requesting further clarification are constructive. The initiative to build a legal database could provide a very useful source of information for the work of the experts. Finally, initiatives such as the seminar in Buenos Aires in September on progress in implementing resolution 1540 (2004) are activities we must continue. We also feel that we must pursue the efforts already begun to identify offers of and requirements for technical assistance.

I will conclude by mentioning the positive work of the three Committees and the fact that success depends on the level of cooperation of Member States and on the level of compliance with sanctions and mandates established by the Security Council. While this is a certainly lengthy struggle, through collective action and cooperation we can make progress and defeat terrorism.

The President: I next give the floor to the representative of Colombia.

Mrs. Holguín (Colombia) (*spoke in Spanish*): Mr. President, I wish to congratulate you on your presidency and to thank you for convening this meeting and allowing participation in the open debate.

We are grateful for the briefings on the activities of the three Committees, chaired by the representatives of Denmark, Argentina and Romania, and for their work, activities and commitment. In this regard, as stated in our report on compliance with resolution 1267 (1999), my Government has passed on to all competent authorities the lists requested by the Committee, and

the updated lists as well, so that the corresponding action can be taken.

With regard to the Counter-Terrorism Committee (CTC), Colombia is committed to the decisions adopted in resolution 1373 (2001) and has submitted four reports. We have complied with resolution 1540 (2004), and we welcome resolution 1624 (2005), adopted on 14 September.

Colombia has always condemned, and continues to condemn, terrorism in all its forms and manifestations, regardless of its motivation or authors. We believe that States must agree to a strategy to combat terrorism, which will have immediate results for peoples who suffer from and are victims of this threat. We hope that the report of the Secretary-General expected in 2006 will offer proposals to be considered by the General Assembly and the Security Council to strengthen the system to better support States in their struggle against terrorism. Similarly, we hope that States will begin to work together, which will enable them to strengthen their consensus on ways to combat terrorism in all its forms.

To be successful, cooperation to eliminate this scourge must be unequivocal and universal. For the United Nations to be effective in supporting States in the global struggle against terrorism, it must work closely with them, improve internal cooperation and avoid duplication of functions and tasks. It must seek clarity for ensuring implementation of a counter-terrorism strategy that will include all countries and organizations. States cannot combat this scourge in an isolated fashion; joint and concerted action is required to ensure success. Confidence-building is essential for making progress in the exchange of information and judicial cooperation. These are essential elements in any counter-terrorism strategy.

More than analysis and general statements, what the system and the States require is concrete initiatives that establish commitments and possible and achievable actions. In some cases, countries cannot afford to exhaust themselves in trying to prove to the world that terrorists who carry out terrorist actions in their territories are, in fact, terrorists. While the international community deliberates and persuades itself, terrorist actions against the civilian population continue. We therefore need to strengthen the mechanisms that build confidence among States, with the understanding that combating terrorism must be done in compliance with international standards and must be unrelenting.

We are still surprised at terrorist acts. We continue to reject any act of that nature. The people of Colombia have suffered from terrorism for a number of years. What is mere theory or news for many is a reality for us. Thousands of individuals have been affected. Recently there was a second terrorist attempt on the life of the former President of the Senate, in Bogota. The State and the Government are determined to combat terrorism and protect the Colombian people from this threat.

In a democratic system, with a guarantee of open and free political participation, there is no justification for committing acts of violence or terrorism. Idealism of former times is not an argument for maintaining struggles based on terrorism.

In the past, a Danish non-governmental organization sent funds to an illegal armed group that carried out terrorist acts. Colombia began a process of dialogue with Danish authorities, and I take this opportunity to publicly thank the Government and Danish justice for their cooperation in shedding light on this matter and putting an end to this sort of practice.

We must now recognize and apply the principle of shared responsibility in preventing and eliminating terrorism. It is time to take concrete and decisive actions to criminalize any act to facilitate and finance terrorism, because there is no doubt that terrorist groups are increasingly participating in various forms of organized crime to finance their activities through trafficking of illicit drugs, money-laundering and arms trafficking, inter alia.

The President: I thank the representative of Colombia for her kind words to the Chair.

I should like to inform the Council that I have just received letters from the representatives of Pakistan and the Syrian Arab Republic, in which they request to be invited to participate in the discussion of the item on the Council's agenda. In accordance with the usual practice I propose, with the consent of the Council, to invite those representatives to participate in the discussion without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objective, it is so decided.

I now give the floor to the representative of Pakistan.

Mr. Akram (Pakistan): Let me first express our felicitations to you, Mr. President, on your assumption of the presidency of the Security Council for the present month. We are confident that for the Council this month will be not only eventful, but fruitful as well. We also wish to express our admiration to Ambassador Baja and the Philippines delegation on their very successful presidency last month.

I wish to join other delegations in thanking the Chairmen of the Counter-Terrorism Committee, the 1267 Sanctions Committee and the 1540 Committee. We appreciate the practice of these briefings. We have noted the reports of the three Chairmen and wish to offer some comments on this issue.

The threat of terrorism knows no boundaries. It poses a challenge to entire humanity. Terrorism has no faith and is abhorrent to all religions and beliefs.

Pakistan has been a victim of terrorism for over two decades, including cross-border and State-sponsored terrorism. We remain in the forefront of counter-terrorism efforts. We have strengthened our legal, administrative and financial controls. We have signed, or are a party to, 11 out of the 13 United Nations conventions and protocols on terrorism. Our armed forces, moreover, continue their search and interdiction operations against terrorists in the border regions with Afghanistan, and we have captured more than 700 Al-Qaida operatives.

With regard to the work of the three Committees, we have noted the efforts of the 1267 Sanctions Committee to bring clarity to its working methods and that the Committee is engaged in the process of improving its guidelines. We believe a more credible process for listing and delisting needs to be evolved. We hope that the Committee will continue to bring greater transparency to its work to ensure full cooperation from all States.

We also welcome the Counter-Terrorism Committee Executive Directorate (CTED), which finally has become operational and is assisting the Committee in its work. We hope that Committee will become an instrument to promote a more comprehensive counter-terrorism approach in the future.

We welcome the increased level of reporting by Member States on the steps they have taken or plan to take to implement the provisions of resolution 1540 (2004), whose scope is clear and is unambiguously focussed on preventing non-State actors from acquiring weapons of mass destruction.

A significant number of reports have been examined by the 1540 Committee, yet as you yourself, Mr. President, have noted, 67 Member States have not been able to report. That underlines some of the challenges with regard to capacity and the need for assistance. We hope the Committee will draw appropriate attention to those aspects in its outreach activities.

Consistent with our strong commitment to prevent non-State actors from acquiring weapons of mass destruction, we have provided to the Committee perhaps the most extensive information on a range of measures that we have in place to implement resolution 1540 (2004). We hope that other States will also be able to share with the Committee the steps they have taken or envisage taking to implement that resolution.

Pakistan has consistently urged the Security Council to evolve a mechanism to associate the larger membership of the United Nations with the Council's work, especially in the field of terrorism, since global cooperation is so essential in that field. It could be done, for example, by opening the membership of the counter-terrorism Committees to other United Nations Member States through elections. The ultimate decision-making would of course remain with the Security Council. That would promote inclusiveness, provide alternative perspectives and views and enhance transparency and accountability in the work of the three Committees.

The 2005 summit has unequivocally condemned terrorism "in all its forms and manifestations, committed by whomever, wherever and for whatever purposes". (*General Assembly resolution 60/1, para. 81*) The Summit sought the adoption and implementation of a comprehensive strategy; it agreed to consider convening a high-level United Nations conference; it recognized the important role of the United Nations in combating terrorism, and it stressed the need to make efforts to reach agreement on and conclude a comprehensive convention during the present session of the General Assembly.

The conclusion of the convention is held up because of the unjustified effort to exclude from its purview the activities of armed forces in situations of armed conflict. Granting such a blanket exemption could imply that armed or military forces of a State enjoy impunity for acts that are terrorist in nature. Indeed, armed forces, especially those engaged in foreign occupation and suppression of self-determination, have often been involved in acts that are terrorist in nature. Various proposals are under consideration to resolve that important issue.

The September outcome document also called on the General Assembly to develop and adopt such a comprehensive strategy. We believe that such a strategy should include both short-term and long-term measures at the national, regional and international levels. The short-term measures should be aimed at providing support for, and enhancing the effectiveness of, ongoing efforts to counter terrorism, including by the three Committees of the Security Council. The long-term measures should aim at addressing the underlying causes of terrorism. Let me reiterate that root causes do not justify terrorism, but they do explain it. In that regard, the need to win the hearts and minds of potential terrorists cannot be overemphasized.

Domestically, religious bigotry, hate campaigns and confrontational tendencies have to be curbed. That must be done through bold, determined, well-thought-out and indigenously applicable strategies. The misuse of religion to spread militancy, hatred and violence has to be suppressed, and an international discourse, as well as a national debate in affected societies, must be conducted on religious harmony.

President Musharraf of Pakistan has outlined such a strategy and what he terms the strategy of enlightened moderation at the global and international levels.

Besides developing a comprehensive strategy, we also need to focus our attention on developing an institutional mechanism to implement it. One proposal in that regard could be the development of an international counter-terrorism centre, which has already been proposed by His Majesty King Abdullah of Saudi Arabia.

We trust the General Assembly will take decisive and early action to develop a comprehensive approach to ensure sustained success against terrorism in all its forms and manifestations. The work of the Council's three Committees will remain an integral and essential part of that endeavour.

The President: I now give the floor to the representative of the Syrian Arab Republic.

Mr. Mekdad (Syrian Arab Republic) (*spoke in Arabic*): My delegation would like to thank Ambassadors César Mayoral, Ellen Margrethe Løj and Ioan Motoc for their briefings on the work of the Committees. We would welcome the continuing opportunity for the Council to hold open meetings to discuss such an important question.

Syria condemns international terrorism in all its forms and manifestations. Syria itself has been a victim of terrible terrorist acts and was among the first to draw attention to the danger and to call for a national and global strategy to combat terrorism.

Syria is committed to cooperating with the various Security Council committees fighting terrorism. We proved this when we were members of the Council, where we participated effectively in the work of the counter-terrorism committees.

Syria also makes sincere efforts to develop its own legislation and to take effective measures to carry out its commitments in that respect. We are proud to submit our reports early. As part of its work, the Syrian parliament has also placed top priority on the implementation of our anti-terrorism commitments. Laws have been enacted and complete instructions on the laws have been issued. For example, about two months ago, a law was enacted to combat money-laundering. In addition, the executive authorities are making all necessary and sincere efforts in that respect.

During its latest visit to Syria, the 1267 Committee saw for itself the great efforts my country is making in this respect. The United Nations is a unique forum for our collective work, which allows full coordination and cooperation among all countries in fighting terrorism and working against the spread of weapons of mass destruction (WMDs).

In this respect, the Arab region suffers from terrorism in general and State terrorism in particular, namely the terrorism practised by Israel through its continued occupation of Arab land and its continuous killing of Palestinian citizens, the destruction of their property and the building of the separation wall on their land. My country was among the first to sign the Convention against Nuclear Terrorism and worked

towards the acceptance of that Convention. We will participate effectively in the forthcoming discussions to conclude a comprehensive treaty on global terrorism by finding solutions that meet the needs for combating that scourge.

We have submitted all the required reports within the framework of resolutions 1373 (2001), 1540 (2004) and 1267 (1999). The Syrian authorities are following up work with other regional and international organizations in this area.

In the coming days, we will submit our third report pursuant to resolution 1540 (2004). We believe that the 1540 Committee should continue its work to fight WMDs, especially in the Middle East, and to prevent such weapons from falling into the hands of terrorists.

All Arab countries have acceded to the Nuclear Non-Proliferation Treaty. Israel is the only country in the Middle East which has not done so. This is a threat to regional and international peace and security, because Israel has hundreds of nuclear weapons and other WMDs. The protection of Israel by certain parties, and especially the fact that certain parties have covered up Israel's terrorist acts, should not be accepted because of serious and dangerous consequences.

Allow me to conclude by saying that the work of these three Committees is very important for the international community and we are hopeful that they will enrich our multilateral international cooperation in the maintenance of international peace and security.

Ms. Willson (United States of America): I apologize to members who are being detained at this late hour, but I will try to be as brief as possible. It is necessary for us to add to our previous statement.

The Council, of course, is here this morning to review the work of the three Committees that strive to counter terrorism. Most speakers have engaged constructively in discussing ways to increase cooperation and advance the work of the Committees, and we appreciate that. It is disappointing, therefore, that two representatives departed from the focus of the debate to introduce allegations that detract from the positive tone of the discussion and distort the facts of two cases being adjudicated in the United States.

In the case of Mr. Posada, the facts are that he was detained on 17 May after entering the United States without inspection, and he remains in custody while his case is being processed within the United States legal system. The Venezuelan extradition request is under review in accordance with a bilateral extradition treaty and United States extradition law.

In the case of the five Cubans accused of spying, in 2001 the individuals in question were convicted in a United States federal court of conspiracy to commit espionage, among other charges that include conspiracy by one of the individuals to commit murder, having supported and implemented a plan to shoot down civilian aircraft, both inside and outside the United States.

The United States Department of Justice has asked for a full hearing by the Court of Appeals, Eleventh Circuit, of a panel decision reversing the trial court's decision. The five accused remain detained while the case is being processed in the United States judicial system.

The United States has always provided the five accused with all the guarantees of due process inherent in the independent and impartial United States judicial system. Despite the frustration expressed by the two speakers who raised these cases, we assure them that United States courts and administrative proceedings are independent and that they fairly and impartially interpret and apply the law.

The President: I am wondering whether, in the light of the remarks that we have just heard and due to the rather late hour, we can consider the debate closed.

Then I have to inform members of the Council that the representatives of Cuba and Venezuela have asked for the floor to make further statements. If I have the consent of the members of the Council, I will proceed accordingly. If there is no objection, I would like, without further ado, to invite the representative of Cuba to make an additional statement.

Mr. Gual (Cuba) (*spoke in Spanish*): Mr. President, first, allow me to thank you and the members of the Council for allowing us to make a second statement. We felt duty-bound to do so, given the comments by the representative of the United States delegation. We believe that this is a typical response from someone who makes unfounded statements.

In this regard, my delegation calls upon the representative of the United States to demonstrate the

supposed commitment of her country to anti-terrorism and to respond unambiguously to the following questions. One, is it true or not that the Government of President George Bush protects in his country the well-known international terrorist Luis Posada Carriles, without complying with his obligation to try or to extradite him? Secondly, is it true or not that for more than 40 years, the Government of the United States has provided active support to terrorist and mafia organizations in Florida, which have planned, organized and carried out countless terrorist acts resulting in the deaths of thousands of Cubans? Thirdly, can the American representative deny that, in an odious, vengeful act, Washington has kept five Cuban anti-terrorist fighters imprisoned without any sentencing — anti-terrorist fighters who remain in United States prisons?

As we have said, it is impossible to eliminate international terrorism if, on the one hand, some terrorist acts are condemned, while others are passed over in silence or are tolerated, justified, or even encouraged. We have said more than once in this chamber that in Miami, funds are collected, with complete impunity and with the complicity of the United States authorities in order to carry out terrorist acts against Cuba. The bank accounts financing that terrorism operate openly in the United States. Terrorists are recruited, stocks of weapons are gathered and a safe haven is provided in this country to people who finance, plan and carry out acts of terrorism against the people of Cuba.

In the case of the terrorist Posada Carriles it is clear that Washington is defending one of its pawns in the criminal war against our people, in supporting Latin American dictatorships in recent decades, in the sinister operations of their dirty war in Central America and in assassination attempts against political leaders and heads of State whose views run counter to the hegemonic interests of imperialism.

My country has struggled in an exemplary way and has adopted effective measures against international terrorism. Detailed information on these efforts has been presented in our four extensive reports to the Counter-Terrorism Committee (CTC).

The idea of destroying Cuba and its revolution is an obsession that has lasted for more than 45 years. It has guided and continues to guide United States policy along a twisted path, full of lies, mistakes, failures and bad choices. What the Government of the United States proclaims to the world and what it does in relation to Cuba is the most profound and most demoralizing contradiction of its foreign policy.

I wish to add that neither terrorist acts, nor genocidal blockades, nor military aggression could put an end to the Cuban revolution, nor to our altruistic efforts to attain social justice. We will not tire in our struggle, and we will never give in. The cause of the five Cuban individuals who are being unjustly held in United States territory must be properly dealt with by the United States authorities. We have offered sufficient information in this regard as to the violations that have been committed in this trial, in particular the contradictions that we have found and denounced.

Therefore, we reiterate our rejection of the explanations we have heard, and we maintain our position of denouncing these inconsistencies in United States policy.

The President: I now give the floor to the representative of Venezuela.

Ms. Taj El Dine (Venezuela) *(spoke in Spanish)*: Mr. President, above all, we would like to thank you for having given us the floor once again.

Like the delegate from the Republic of Cuba, we wish to reiterate our firm position with regard to the question of terrorism. When the representative from the United States Mission took the floor, she said that the main objective of this meeting was to evaluate measures to eliminate international terrorism and to assess the work of the Committees. We want to say the following: if we are evaluating measures and if the Committees are assessing their work, then how can we allow members, in a body such as this one, to have a double standard when dealing with the question of terrorism?

We wish to reaffirm our position — all States must abstain from providing shelter to terrorists. The United States must refuse to protect any terrorists on its territory, and it must apply the principle of either extraditing them or bringing them to trial.

We have a number of doubts with regard to the comments made in this Chamber that there is an independent justice system in the United States, when we see that a court can arrive at a decision that the terrorist Luis Clemente Posada Carriles should not be

deported to Venezuela because, supposedly, he would be tortured in our Republic.

There is absolutely no foundation for that assertion. Moreover, up to now we have complied with all international norms, and we are party to all conventions against torture. To date, Venezuela has not been called to task by any international organization in connection with cases of torture.

Now, my question would be the following: is a court independent when a decision is being taken with regard to a person who has served as an agent of the Central Intelligence Agency of the United States — could there be a link with the fact that individual needs to be protected and is being protected, by the United States Government?

In Venezuela, we take a diligent, responsible and consistent approach to such matters, and we would request that, in the Committees, each State be studied with the same diligence. We must avoid terrorism being used by some States. We must make sure that States stop supporting terrorists, as we have seen repeatedly throughout the world. For this reason, we are asking the United States Government here, before the three Committees and their Chairmen present here, to show us if we are wrong, if we are not right in what we are saying, and then to extradite the terrorist Luis Clemente Posada Carriles or to try him on this territory for what he is — a terrorist, an assassin and a torturer.

We would like to be shown that we are mistaken, and that the United States at present, and in the future, can show us that all of those terrorist practices and policies it uses with regard to other States and peoples will no longer be applied. We also request that the United States shows us that its actions, including the financing of groups to destabilize a State, are not trying to force socio-political changes, destabilize or overthrow Governments under the pretext that they are terrorists or that they protect terrorists.

We reaffirm that we want each and every Member of the United Nations to be consistent in this area, in condemning terrorism, without distinction. Terrorists can be either State or non-State actors. We would like the United States to abandon its terrorist practice and policies in its relationship with other States.

The President: The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

Before adjourning the meeting, I would like to say a special word of thanks to the Secretariat and to the interpreters for having borne with us for so long today.

The meeting rose at 2 p.m.

United Nations S/PV.5293/Corr.1

Security Council

Sixtieth year

Provisional

5293rd meeting

Wednesday, 26 October 2005, 10 a.m.
New York

Corrigendum

Page 37, second column

The name of the speaker for Cuba should be Mr. Gala Lopez

05-58253 (E)